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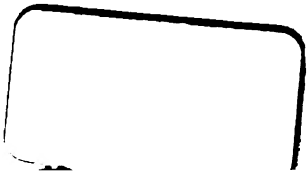
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L A W S

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,

PASSED AT THE

SESSION OF 1863.

In the Eighty-Seventh Year of Independence.

With an Appendix.



HARRISBURG:

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LAWS

OF THE

COMMONWEALTH OF PENNSYLVANIA.

No. 1.

An Act

Changing the time for holding the several Courts in Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the several courts Change of time of Northumberland county shall commence and be held on the for holding second Monday of March, in each year, instead of the first courts. Monday in April.

SECTION 2. That should any process have been issued before Process issued, the passage of this act, or any orders or decrees made by the or orders or decrees made before the passage of this act, relative to. said courts, or either of them, returnable on the first Monday crees made before the passage of this act, relative to. in April, it shall be lawful for the judges of the said court to before the passage of this act, relative to. meet and dispose of the same as if this act had not been passed, of this act, relative to. and also to meet at the usual time for entering judgments.

SECTION 3. The township elections shall, from and after the Township elections, when held passage of this act, be held on the third Friday in February. Township elections, when held

SECTION 4. The constables, supervisors of roads, and over- Official term of officers of the poor, elected on the third Friday in February next, constables, supervisors, &c. shall hold their offices from the first Monday in April next, supervisors, &c. until the second Monday in March, one thousand eight hundred and sixty three, and those elected after that period, for one year from the second Monday in March.

SECTION 5. All tavern licenses granted at the last April ses- Tavern licenses, sion of the court shall continue for one year, the period for relative to. which they were granted, and all licenses, which may be granted at the court in March next, shall commence on the

first Monday in April, and continue until the second Monday in March, one thousand eight hundred and sixty-four, and shall pay for the license so granted the price fixed by law, deducting the fractional part of the year from the second Monday in March to the first Monday in April.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

— APPROVED—The nineteenth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 2

An Act

To authorize the School District of West Chester, in the county of Chester, to borrow money.

WHEREAS, The school district of West Chester has recently purchased ground, and erected a school house thereon; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the directors of the said school district of West Chester to borrow money, at a rate of interest not exceeding six per centum, and issue bonds therefor in sums not less than one hundred dollars each, for the purpose of paying for said ground, and for the erection, completion and furnishing said school house: *Provided*, That the total indebtedness incurred under the provisions of this act, shall not exceed one half of one per centum on the assessed value of all the taxable property, real and personal, in said district.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 3.

An Act

Explanatory of an act, entitled "A Supplement to an act to amend the Road Laws of Montgomery county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "A Supplement to an act to amend the road laws of Montgomery county," approved the fifth of April, Anno Domini one thousand eight hundred and sixty-two, shall not be construed to apply to any road cases now pending in court, or in which proceedings were commenced prior to the said fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 4.

A Supplement

To the act relative to the Courts of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any two of the judges of the court of common pleas of Lancaster county, (one of them being learned in the law) shall have full power and authority to hold courts for the trial of all indictments in the courts of oyer and terminer and general jail delivery of said county, and also for the passing of sentence and for the punishment of all contempts, and to make such orders and decrees, and to render all such judgments as shall be legal or required by law; and if the business of the court shall at any time require it, adjourned courts of oyer and terminer and general jail delivery may be held for the trial and determination

of cases in the said court, at such times as shall be fixed upon by the judges of such court, or any two of them, and for that purpose to issue a *venire* and such process as may be necessary.

SECTION 2. That so much of article seventh, section third, of the act "Relative to the Lancaster County Prison," passed the nineteenth day of February, one thousand eight hundred and fifty, as excepts persons convicted of manslaughter in the said county from being punished in the said prison, is hereby repealed, and the court, in which such person shall be convicted of said crime, shall have full power to sentence him to undergo the punishment awarded to him, either in the State Penitentiary or in the Lancaster County Prison, at the discretion of the said court.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 5.

An Act

Changing the place for holding the General and Township Elections in the township of Stewardson, in the county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general and township elections in the township of Stewardson, in the county of Potter, be held, from and after the passage of this act, at the district school house, at New Norway, in said township.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 6.

An Act

To change the time of holding the Township Elections in Allegheny township, Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township elections in the township of Allegheny, in the county of Venango, shall hereafter be held on the third Friday in March, instead of in February.

SECTION 2. That the township officers, now in office in said township, shall continue to hold, and perform the duties of their respective offices, until their successors are duly elected.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-first day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 7.

An Act

To authorize the Auditor General to open and adjust the accounts for taxes of the Sharon Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Auditor General be, and he is hereby authorized and required to open and adjust the accounts for taxes and bonus

with the Sharon Iron Company, and to settle the same in accordance with equity and justice.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-first day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 8.

An Act

To incorporate the Corn Exchange Association of the city of Philadelphia.

Preamble.

WHEREAS, The dealers in flour, grain, and other produce, of the city of Philadelphia, deeming it necessary, some time since formed themselves into an association under the title of the Corn Exchange Association of Philadelphia, the general objects of which are for the advancement of the trade, and for the improvement of the facilities for transacting business:

And whereas, It has hitherto felt the necessity of an act of incorporation, by means of which their usefulness would be extended, and the objects of their association be more fully achieved; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Incorporation.

That the persons who now constitute the Corn Exchange Association of Philadelphia, and such persons as shall hereafter be admitted members thereof, shall be and are hereby declared a body politic and corporate, in deed and in law, by the name style and title of the Corn Exchange Association of Philadelphia, to have succession, to plead and be impleaded, sue and be sued, in all courts of record or elsewhere, and to be capable to take, hold, enjoy lands, tenements, hereditaments, goods and chattels, and the same from time to time to sell, grant, demise, alien and dispose; to have and use a common seal, and the same to break, alter or renew at pleasure: *Provided*, That the clear income of the estate by them held shall, at no time, exceed the sum of twenty thousand dollars.

Title.

Privileges.

Seal.

Income.

Officers.

SECTION 2. The officers of the said corporation shall be elected annually, at such times, and for such periods, as the constitution of said association may direct, and shall consist of a president, vice president, treasurer, a secretary and eight managers.

SECTION 3. The said corporation, when convenient, shall *By-laws.* have power and authority to make, ordain and establish such rules, by-laws and regulations relative to the concerns of the corporation as they may deem necessary and expedient, and not inconsistent with the constitution and laws of this state, or of the United States, and such rules, by-laws and regulations shall be good and valid until altered by the corporation: *Provide.* *Provided,* That nothing in this act shall be construed as in any manner granting banking or manufacturing privileges.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 9.

An Act

For the relief of the stockholders of Frankford Lyceum, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all and every person and persons owning one or more shares of the capital or joint stock of the Frankford Lyceum of Science for the acquirement and diffusion of useful knowledge, shall have and enjoy all the rights, privileges and immunities of members of said corporation, and together with such others as are now members of the same, shall constitute the said corporation, and upon the call of any three members of the said corporation so constituted, shall and may hold a meeting or meetings, and re-organize the same.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 10.

An Act

Relating to the Allegheny Valley Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the annual meeting of the stockholders of the Allegheny Valley Railroad Company, for the election of managers, as provided in the charter of said company, shall take place the last Tuesday of February, in each and every year, when said stockholders shall proceed to elect the said managers, and the said managers, and those thereafter chosen in pursuance of said charter and this act, at their first meeting shall choose by ballot one of their own number as president of said company, and at such annual meeting and election each share of stock shall entitle the holder to one vote, and in case of a vacancy occurring in said board of managers from any cause, the vacancy may be filled by the board of managers, and should a vacancy occur in the office of president, said managers, on a call of their secretary, shall meet and fill said vacancy, in manner and form as provided for the election of the president; and if, at any time, an election of managers shall not be held at the time specified, the corporation shall not, for that reason, be dissolved, but it shall be lawful to hold such election for managers on any day within three months thereafter, by giving at least ten days' previous notice of the time and place of holding said election, by publication, and the managers of the preceding year shall continue in office until others are elected in their stead.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 11.

An Act

Supplementary to the act incorporating the Lehigh and Delaware Water Gap Railroad Company, approved May fourth, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time specified in the seventh section of the act to which this is a supplement, for completing the road of the said railroad company, is hereby extended for the further term of five years

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 12.

An Act

To supply the loss of legal evidence of Association of E. H. Chase, and others.

WHEREAS, E. H. Chase, N. Kingsland, O. Kendal How, Jonathan Watson, A. B. Funk, and C. V. Culver, became heretofore associated for the purpose of establishing the Petroleum Bank, in the county of Crawford, in accordance with an act to establish a system of free banking in Pennsylvania, and secure the public against loss from insolvent banks, approved March thirty-first, one thousand eight hundred and sixty-two, and its supplement :

And whereas, A certificate of such association, in due form of law, was approved and signed by the Attorney General of Pennsylvania, as required by said act, on the tenth day of October, Anno Domini one thousand eight hundred and sixty-two, which certificate, in its transmission to the said county

of Crawford for record, was lost, and cannot be recovered; therefore,

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same That the Court of Common Pleas of the county of Crawford, or any judge thereof, shall have power to hear evidence relating thereto, and upon satisfactory proof being had of the loss of said certificate, may cause a certificate in like form and proper attestation of the formation of said association, in accordance with the afore-recited act, to be drawn, and upon the approval thereof by said court judge, it shall be the duty of the recorder of the county of Crawford to record the same, for a like purpose and with like effect as an original certificate duly recorded.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 13.

A Supplement

To "An Act to incorporate the Mahanoy and Broad Mountain Railroad Company," approved March twenty-ninth, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the number of the members of the board of directors of the Mahanoy and Broad Mountain Railroad Company, from and after the expiration of the period for which the present board has been elected, shall be reduced to six, and that at the next election, and annually thereafter, the stockholders shall elect but six persons to serve as directors for said com-

pany, a majority of whom, together with the president, shall constitute a quorum.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 14.

An Act

To establish a Ferry over the Allegheny river, at Kittanning, Armstrong county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That Jackson Boggs, of the borough of Kittanning, and his heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings, on both sides of the Allegheny river, at Kittanning, on the east side at or near the end of Arch street, at the place now used as a landing, and on the west side as nearly opposite to the said landing on the east side as may be practicable, and to use the river between said landings as a public ferry: *Provided*, That the said Jackson Boggs, his heirs and assigns, shall pay to the owner or owners of the land on the west side of the river where said landing shall be made, all damages which may accrue to said owner or owners in consequence thereof, which damages, if they cannot be amicably arranged, shall be assessed by a jury of three persons, appointed by the Court of Quarter Sessions of Armstrong county, and their report and proceedings shall be the same in every respect as in the case of opening roads under existing laws. Ferry authorized.
Damages, how to be assessed.

SECTION 2. That the said Jackson Boggs, his heirs or assigns, shall keep the said landings and ferry in good order and in repair, fit for the transportation and passage of travellers, teams and carriages of all descriptions, keep good and sufficient boats and other crafts, and good and careful ferrymen, who shall attend to the transportation of passengers, et cetera. Ferry to be kept in good order, &c.

SECTION 3. That the said Jackson Boggs, his heirs and assigns, shall have the privilege, if they see proper, to put on a horse ferry boat, or a steam ferry boat, for the purpose of May use horse or steam ferry boat.

transportation of passengers and vehicles, et cetera, between the aforesaid landings.

Tolls.

SECTION 4. That the said Jackson Boggs, his heirs and assigns, as a remuneration for keeping up the aforesaid ferry boat and landings, shall charge and receive such tolls as are customary on the Allegheny river for the transportation of passengers, carriages, et cetera.

Prohibition.

SECTION 5. That it shall not be lawful for any other person or persons to establish or use a ferry for the transportation of passengers or vehicles, et cetera, on the said river, at the borough of Kittanning, between the north and south lines of the said borough; any person violating the provisions of this act shall forfeit to the said Jackson Boggs, his heirs or assigns, the sum of two dollars for each and every passenger transported, and five dollars for each and every carriage or wagon, to be recovered as debts of like amount are recovered before a justice of the peace.

Penalty for injuries to works.

SECTION 6. That if any person or persons shall wilfully cut or break, or in any way injure or destroy any boat, craft, or other property, or take from its moorings any craft or boat belonging to said ferry, he, she, or they, so offending, shall each of them forfeit and pay to the said Jackson Boggs, his heirs and assigns, the sum of twenty-five dollars, in addition to all damages sustained by said Jackson Boggs, his heirs and assigns, to be recovered as debts of like amount are recoverable.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 15.

An Act

To authorize the Controller and Commissioners of Allegheny county to compromise with the holders of bonds of said county, issued in payment of subscriptions to the capital stock of certain railroad companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Compromise with bondholders authorized.

That the controller and commissioners of Allegheny county be and are hereby authorized and empowered to negotiate a compromise with the holder or holders of any of the bonds of said

county, issued in payment of their subscription to the capital stock of any railroad company.

SECTION 2. That said controller and commissioners are hereby authorized and empowered to issue bonds or certificates of loan of said county, in the corporate name thereof, to be sealed with the corporate seal of said county, and signed by the commissioners and countersigned by the controller; which said bonds or certificates of loan shall be used for the purpose of redeeming the bonds of said county, issued to said railroad companies as aforesaid, and for no other purpose whatever.

Bonds or certificates of loan, how to be issued and used.

SECTION 3. That any guardian, executor, administrator, trustee, or other person, who may hold any of the said bonds of said county, issued as aforesaid in payment of subscription to the capital stock of any of said railroad companies, in trust for any other person or persons, shall be and are hereby authorized to accept new bonds, or certificates of loan, of said county, in exchange for those so held by them, upon the terms and conditions of said compromise; and said trustees are hereby exempted from all liability to account to their respective *constituted* trusts for any greater or larger amounts than the same by them respectively received by virtue of said compromise.

Guardians, executors, &c., authorized to accept such bonds or certificates.

SECTION 4. That all bonds or certificates of loan, which may be issued by virtue of this act, shall be and become a part of the funded debt of said county, and the interest thereon shall be provided for in the regular annual levy of county tax.

To become part of funded debt, &c.

SECTION 5. That the controller and commissioners of said county may provide for and authorize the transfer of any of the capital stock of any of said railroad companies, in payment of any of the bonds issued to any of the said railroad companies aforesaid, at such prices and conditions as may be agreed upon by said parties.

Capital stock of railroad companies may be transferred in payment of bonds.

SECTION 6. That for the ultimate redemption of said bonds so issued in compromise, a sinking fund of twenty-five thousand dollars, from the annual revenue of said county, shall be set apart each and every year for the purpose; for the management thereof there shall be a board of three commissioners, to be known as commissioners of the sinking fund, of which the county controller shall be *ex-officio* one, and shall act as secretary of the board; the remaining two shall be appointed by the judges of the courts of Common Pleas and District court for said county, to serve three years from the date of their appointment; and at the expiration of their term of service, said judges shall appoint two in like manner, and every three years thereafter vacancies for an unexpired term to be filled by similar appointment; the commissioners of the sinking fund so appointed shall receive no compensation for their services; it shall be their duty to purchase with said fund of twenty-five thousand dollars, so many bonds or certificates of loan which were funded for interest on said bonds issued in compromise to railroad companies as said annual amount will absorb, at the most favorable market rates; which bonds or certificates of loan so purchased shall be treated by the controller, as other cancelled obligations of the county now are; in the month of August, in each year, the said controller shall issue a certifi-

Sinking fund created, purpose and management of.

Commissioners, appointment and duties of.

Prohibition.

cate to the county commissioners, in favor of the county treasurer, for said amount of twenty-five thousand dollars; and said treasurer, on receipt thereof, shall transfer the amount to the sinking fund, and shall disburse the same only on warrants drawn by said commissioners of the sinking fund, or a majority of them; said warrants to be registered separately by the controller, in a book to be kept for that purpose; no portion of said sinking fund shall be applied by the commissioners thereof to any other purpose than the purchase of said bonds or certificates of loan; and any violation of this provision shall be deemed a misdemeanor, punishable, on conviction, by imprisonment for not less than three, nor more than twelve months, at the discretion of the court.

Sinking fund
may be increased.

SECTION 7. That it shall be lawful for the said controller and county commissioners, from time to time, to increase the said sinking fund, by appropriating to the same any surplus funds, moneys or revenues remaining in, or payable to the treasury, not required for the ordinary expenditures of the county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 16.

An Act

Supplementary to an act appointing Commissioners to lay out and open a State Road, in the counties of Potter and M'Kean, approved on the eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

Location of road
may be changed

That the commissioners of said state road are hereby authorized to change the location of said road, at any point along the line thereof that they may deem necessary and desirable, where said road has not already been worked and completed.

Commissioners
to appraise
damages.

SECTION 2. That L. B. Cole, Miles White and Collins Smith, are hereby appointed commissioners to appraise any damages that may be sustained by any person or persons by reason of such change in location, who shall proceed to estimate damages in the manner provided by the first section of an act

Duties and com-
pensation of.

passed the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one, in relation to said road, and shall file their report in the court of Common Pleas of Potter county, at the June term, Anno Domini one thousand eight hundred and sixty-three; which report, when so filed, shall be proceeded upon in the manner and have the effect provided by the first section of said act; said commissioners to appraise damages to be paid two dollars per day for their said services, out of said state road fund.

SECTION 3. That the bonds authorized to be issued by said state road commissioners, to secure loans by the fifth section of the act last before mentioned, may be issued for any sum not exceeding one thousand dollars, instead of one hundred dollars, as provided by said section of said act. Bonds to be issued, relative to

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 17

An Act

To fix the place for holding Elections in Shippen township, Cameron county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all elections held in Shippen township, Cameron county, including general and special elections, town meetings, et cetera, shall be held at the hotel now owned by Legrand Cook, situate in the village of Shippen, in said township.

JOHN CESSNA,
Speaker of the House of Representatives.

JOHN P. PENNY,
Speaker of the Senate, pro tem.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 18.

An Act

To provide for the payment of the Interest on the State Debt.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

State Treasurer
authorized to
exchange with
the banks, cur-
rency for coin,
and give specie
certificates
therefor.

That the State Treasurer be and is hereby authorized to exchange with any bank or banks of this State, an amount of currency sufficient to pay the interest on the state debt falling due on the first days of February and August, Anno Domini one thousand eight hundred and sixty-three, for the same amount of coin, and he is hereby authorized to give to said bank or banks specie certificates of exchange not transferable, pledging the faith of the State to return the said coin and re-exchange for notes current at that time, on or before the first Monday of March, Anno Domini one thousand eight hundred and sixty-four; said certificates of exchange to bear interest at the rate of two and one half per centum per annum, and to be estimated and computed as so much coin in the assets of the banks aforesaid.

Extension of
time for the re-
sumption of
specie pay-
ments.

SECTION 2. All the provisions of the first and second sections of the act, entitled "An act requiring resumption of specie payments by the banks," approved April eleventh, Anno Domini one thousand eight hundred and sixty-two, are hereby extended until the first Monday of March, Anno Domini one thousand eight hundred and sixty-four, to all banks exchanging coin for currency under the provisions of the first section of this act.

Limitation

Each bank to
furnish a *pro*
rata share of
coin.

SECTION 3. That if the banks of the Commonwealth shall tender to the Treasurer, more coin than shall be required to pay the interest aforesaid, he shall receive from each bank so tendering a *pro rata* share of the amount so required, in proportion to the capital stock of each, and in case of any deficiency in the amount so offered by the banks, he shall assess the amount required upon all the banks of the State, in proportion to their capital stock, and on failure of any bank or banks to furnish a *pro rata* share of said coin so required for the space of thirty days after being notified, such bank or banks shall not be entitled to the benefit of the provisions of the preceding sections of this act.

Attorney Gener-
al to close banks
failing to com-
ply with this act

SECTION 4. That the Attorney General of this Commonwealth is hereby authorized and directed to proceed to wind up the affairs of any bank or banks who refuse or neglect to comply with the provisions of this act.

Sale of coin by
banks in state
of suspension to
work forfeiture
of charter.

SECTION 5. That it shall not be lawful for any bank in this State to sell any gold or silver coin from its vaults, while in a state of suspension, and any violation of the provisions of this section shall work a forfeiture of its charter, and any officer or

officers of any bank, consenting to any such sale of coin, shall be liable to prosecution for misdemeanor in office.

SECTION 6. That the banks of this Commonwealth are hereby required, during their suspension, to reduce their circulation to an amount not exceeding twice the amount of their capital stock actually paid in, or three times the amount of coin in their vaults; and all banks are hereby required to make return, under the oath of the cashier thereof, to the Auditor General, every three months, commencing from and after the passage of this act, the amount of their circulation; and every bank, whose circulation shall exceed twice the amount of its capital stock, or three times the amount of coin in its vaults, shall be required to retire or call in the one-sixth of such excess every sixty days, until its circulation shall correspond with the provisions of this section; and should any bank fail to comply herewith, it shall be the duty of the Auditor General to notify the Attorney General thereof, who is hereby required to proceed under the fourth section of this act to forfeit the charter of such bank.

Reduction of circulation required.
Returns of circulation to be made to the Auditor General.
Forfeiture of charter for failure to comply.

SECTION 7. The provisions of this act shall not apply to any bank or banks which have not or do not suspend specie payments prior to the said first Monday of March, Anno Domini one thousand eight hundred and sixty-four, nor shall they apply to the banks incorporated under the free banking laws.

Certain banks not subject to provisions of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 19.

An Act

To authorize the Auditor General and State Treasurer to open and re-audit certain accounts of Joseph C. Hays, late Treasurer of Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Auditor General and State Treasurer be and they are hereby authorized to open and re-audit the account of Joseph C. Hays, late treasurer of Crawford county, for militia

taxes for the year one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine, and to allow him commissions on the collection of taxes on real and personal estate, for the year one thousand eight hundred and fifty-nine, as provided in an act, entitled "An act relative to the collection of taxes in Crawford and Lawrence counties," approved March twenty-seventh, one thousand eight hundred and fifty-two, if they should deem him in justice and equity entitled thereto.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 20.

An Act

Entitled "A further supplement to an act incorporating the Lewistown and Tuscarora Bridge Company."

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Sale or lease of
bridge, author-
ized.

That the president and managers of the Lewistown and Tuscarora Bridge Company, by and with the consent of a majority of the stockholders of said bridge company, be and are hereby authorized and empowered to sell or lease, for any term of years, the bridge of said bridge company, its right of way, and all its franchises, to the Mifflin and Centre County Railroad Company, or any other railroad company crossing the Juniata river, at or near Lewistown, which is hereby authorized and empowered to purchase or lease the same.

Privileges of
railroad compa-
ny purchasing.

SECTION 2. Any railroad company purchasing or leasing said bridge, right of way, and the franchises of said bridge company, shall have the right and privilege to use the said bridge, right of way, et cetera, for a railroad, and lay its track for a railroad over and upon said bridge and right of way, and make such alterations in said bridge as may be necessary for this purpose: Provided, That the said railroad company shall also keep the said bridge in suitable and proper condition for the crossing of wagons, carriages, horses and foot passengers, for which the said railroad company shall have the right to

Previous.

charge and receive such tolls as are now allowed by law to said bridge company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate,

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 21.

A Supplement

Is an act, entitled "An Act to create a Loan and provide for Arming the State," approved the fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the fourteenth and fifteenth sections of the act of fifteenth May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to create a loan, and provide for arming the state," be and the same are hereby extended to the families of men drafted and now in the service of the United States.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 22.

A Further Supplement

To the act incorporating the Thomas Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Thomas Iron Company be, and they are hereby authorized to increase their capital stock, from time to time, to an amount not exceeding the sum of two hundred and fifty thousand dollars: *Provided,* That the assent of a majority of the stockholders present, at a meeting duly convened for such purpose, shall be first had thereto, and that the said company shall pay into the treasury of the Commonwealth, upon such increase, a bonus of one-half of one per centum, payable in four equal annual instalments, the first payment to be made out of the first instalment called in upon the said increase, and the said corporation shall also pay such taxes upon dividends as are or may be provided by law.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 23.

An Act

To confer upon Anna Reed Warford, adopted daughter of Anthony B. Warford and Eliza Warford, his wife, the rights of a child born of their bodies.

WHEREAS, Anthony B. Warford, and Eliza Warford, his wife, of the city of Harrisburg, have adopted as their own child, Anna Reed Warford, a daughter of James Warford, deceased, brother of said Anthony B. Warford; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Anna Reed Warford, daughter of James Warford, deceased, and adopted daughter of Anthony B. Warford, and Eliza Warford, his wife, shall have and enjoy all the rights, liberties and privileges, of a daughter of the said A. B. Warford, and Eliza Warford, and shall be able and capable of inheriting their estate, as fully and effectually as if she was their daughter, born of them in lawful wedlock.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 24.

An Act

To authorize the Minersville Water Company to sell stock at Public Sale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the Minersville Water Company are hereby authorized ^{Authorized to} to sell at public vendue or outcry any number of the unsold ^{sell stock.} shares of the capital stock of said company, not exceeding the number of shares they were originally authorized to sell, to the highest bidder, under such regulations as the board of managers of said water company shall agree upon and stipulate, not in violation of the laws of this Commonwealth; and the stock so sold shall be subject to the same restrictions, and ^{Subject to.} receive the same dividends, and be in all respects equal to the shares of stock now issued and paid in.

SECTION 2. That after one thousand dollars worth of shares ^{Amount to be} shall have been sold at auction, the said company are hereby ^{sold at public} authorized to sell at private sale the balance of the stock ^{and private} necessary to be sold to raise the amount of the present indebtedness of said water company, at the highest average price per share that was ^{sales.} bidden for the same at public sale, and the

shares so sold shall be in all respects equal to the shares before sold.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 25.

An Act

To extend the time for the Payment of the Enrolment Tax, on an act to extend and continue in force an act to incorporate the Mutual Fire Insurance Company of Pottstown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the payment of the enrolment tax, on an act to extend and continue in force an act to incorporate the Mutual Fire Insurance Company of Pottstown, approved March the twenty-first, one thousand eight hundred and sixty-one, be and the same is hereby extended until the first day of March, one thousand eight hundred and sixty-three.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 26.

An Act**Relative to the Compensation of certain Officers In the county of Beaver.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the auditors of Compensation the county of Beaver, shall each be entitled to receive from of auditors. the county treasury two dollars per day, for each day employed in the duties of their office, which per diem payment shall also be made to those who have settled, or are now settling the accounts for the year one thousand eight hundred and sixty-two.

SECTION 2. That the treasurers of the county of Beaver, hereafter elected, shall be allowed in the settlement of their Compensation accounts, by the county auditors, for the collection of county of treasurers tax, a commission not exceeding two per centum on the aggre- county tax. gate of receipts in each year, exclusive of balances on former settlements, or compensation for disbursements.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 27.

A Supplement**To an act to incorporate the Howard Sunday School Building Association.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Howard Sunday School building be and they are hereby authorized and empowered to sell or mortgage the real estate they now hold, or which they may hereafter hold, for the general purposes for which the said corpo-

ration was created, or for the improvement of the said real estate, or for the purchase of other real estate.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 28.

An Act

Ceding to the United States of America the right of exclusive legislation over League Island, in the Delaware river, in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the consent of the Commonwealth of Pennsylvania is hereby granted to the United States of America, to purchase and acquire title to all that Island in the Delaware river, at and above the mouth of the Schuylkill river, in the city and county of Philadelphia, called and known as "League Island," together with all the marsh land east of, or in any other direction adjacent or appurtenant thereunto, containing about six hundred acres, be the same more or less, and together also with all the riparian rights and privileges thereunto belonging and appertaining to the same, and the Commonwealth of Pennsylvania doth hereby cede to the United States of America, for naval and other purposes, according to the terms of the constitution of the United States, the right to exercise exclusive legislation and jurisdiction over all the said Island and marsh land, with all the premises and appurtenances aforesaid, and also over all the inland channel or water way, unto low water mark, on the northerly shore thereof, which separates the said Island and premises from the main land.

SECTION 2. That this act shall take effect upon the acceptance, by the United States of America, of the title, according to the provisions of any act of Congress heretofore made, or hereafter to be made and provided, and a certificate that the same has been accepted, signed by the Secretary of the Navy of the United States, recorded in the office of the Recorder of Deeds, in and for the county of Philadelphia, shall be the pro-

per and sufficient evidence of such acceptance of title by the United States.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 29.

A Supplement

To an act changing the time for holding the Courts of Northumberland county, approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the third section of an act, entitled "An Act changing the time for holding the courts of Northumberland county," approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty-three, be amended by adding the words, "borough and," so that the same will read "the borough and township elections shall, from and after the passage of this act, be held on the third Friday of February."

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 30.

A Further Supplement

To an act to authorize the county of Dauphin to borrow money, approved the third day of March, Anno Domini one thousand eight hundred and sixty, and to a Supplement thereto, approved the twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several payments and expenditures made, or directed to be made, by the commissioners of the county of Dauphin, for the erection and completion of the court house, and other improvements connected therewith, with the appurtenances erected and built in the city of Harrisburg, for the said county of Dauphin, during the years Anno Domini one thousand eight hundred and sixty, and one thousand eight hundred and sixty-one, amounting in the aggregate to the sum of seventy-four thousand four hundred and seventy-two dollars and sixty cents, be and they are hereby legalized, and the said commissioners entitled to be credited therewith, and are hereby fully discharged from all future liability for, or on account, or by reason of the said expenditures.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 31.

An Act

To repeal an act, relating to the Selling of the Repairing of the Public Roads, in certain townships in Schuylkill county, to the township of Schuylkill, in said county, approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the act of assembly, entitled "An Act to extend the provisions of an act relating to the selling of the repairing of the public roads, in certain townships in Schuylkill county, to the township of Schuylkill, in said county," approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty, be and the same is hereby repealed, so far as the same relates to said township of Schuylkill, and that the same law as existing in said township, prior to the passage of the act hereby repealed, is hereby revived.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 32.

In Act

Creating an additional Notary Public, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor is hereby authorized to appoint an additional Notary Public, in Luzerne county, to be located at Hazleton.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 33.

An Act

Relating to the Publication of Legal Notices, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the publication required by the existing laws of this Commonwealth, the several courts of the county of Luzerne may, by rule of court, designate one weekly legal publication, in which shall be published a concise and intelligible abstract, under the direction of such courts, of all legal notices required to be published, in cases pending in, or under process issuing out of said courts; a copy of each and every number of said paper shall be filed in the offices of the prothonotary, clerk of the courts, register of wills, recorder of deeds, county commissioner, and sheriff of said county: *Provided,* The charge for publication shall not be greater than the usual rates charged for such notices, and in case of any dispute in regard to such charges, the same shall be referred to, and be determined by the president judge of said court.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 34.

An Act

Relating to the Philadelphia, Germantown and Norristown Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Philadelphia, Germantown and Norristown Railroad Company shall have power and authority to enter upon, take and occupy the land lying between the southern or eastern abutment, and the southern or eastern pier of the bridge of the said company, across the Wissahickon creek, in the county of Philadelphia, and to fill up the space between the said abutment and pier, or to use the land in any manner that the said company may deem advantageous or necessary, for the purpose of the bridge: *Provided*, That before entering upon, and occupying said land, the said company shall pay, or secure to be paid, to the owners of the land, the amount of damages, if any, accruing to them, if the terms can be mutually agreed upon, and in case they can not, the said company shall apply, by petition, to the Court of Common Pleas of the county wherein the land is situated, setting forth the facts, and asking for the appointment of viewers, and thereupon the court shall appoint seven disinterested persons, to view, determine and assess the damage, if any, which may accrue to the owner, by reason of the taking and using of the same, and the award of a majority of the viewers, when filed in the said court, shall be final and conclusive, without appeal by either of the parties.

Authorized to occupy certain land.

Damages, how to be assessed.

SECTION 2. That the said company shall, at any time hereafter, have power and authority to enter upon, take and occupy any other land, for the purpose of altering, adding to, strengthening, enlarging or re-building the said bridge, upon paying, or securing to be paid, to the owners of the land, the amount of damages, if any, accruing to them, to be assessed according to, and in the manner prescribed by the first section of this act.

May enter upon other lands.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 35.

An Act

Relative to the office of Coroner, of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That the act, entitled "An Act relative to the office of Coroner, of Northampton county," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby extended to the county of Schuylkill.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 36.

An Act

Giving to Associations for the Recovery of Stolen Property and the Detection and Prosecution of Thieves, in the counties of Delaware and Chester, certain legal rights.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever citizens of the Commonwealth of Pennsylvania, not less than thirty-six in number, shall associate themselves together, in either of the counties of Delaware or Chester, for the purpose of recovering stolen property and the detection and prosecution of thieves, such citizens, and such others as may be associated with them for such purpose, as members thereof, according to their by-laws, shall be, and they are hereby incorporated into a body politic, in deed and in law, by the name, style and title they shall adopt, with all the privileges, immunities and liabilities belonging to such body, and may also have and use a common seal, the same to break, alter and renew at pleasure.

When associations to be incorporated.

Seal.

How fund to be raised.

Proviso.

SECTION 2. That in order to carry out the purposes of such associations, it shall and may be lawful for such associations, by their by-laws, to provide for raising a fund, by admission fee, annual assessment on the members, and fines on officers and members, for failure or neglect of any duty which may be lawfully imposed upon them; said fees, assessments and fines, may be collected by suit, in the name of such association, against the delinquents, as debts of like amount are now by law collected: *Provided however,* That such fund shall not exceed the sum of five hundred dollars.

SECTION 3. That the officers of such association shall be a president, secretary and treasurer, and nine managers, who shall compose a board of direction, and shall be annually chosen by ballot, at a general meeting of such association; vacancies occurring in such board of direction, during the year, shall be filled by the remaining members thereof, until the next annual election.

Officers.

6

Vacancies.

SECTION 4. That each of the members of such board of direction, shall have the power and authority of a constable, so far as may be necessary to carry out the objects of such association, may execute warrants for that purpose, issued by justices of the peace and aldermen, and shall be liable to all the responsibilities of constables, in the exercise of said authority: *Provided*, That they shall not be liable to the performance of any service, except as directed by the by-laws of such association, nor shall they be entitled to any fees, or compensation for their services, except out of the funds of such association, and according to the by-laws, or other regulations thereof.

Powers of the board of direction.

Proviso.

SECTION 5. That the members of such board of direction, before entering upon the duties of their office, shall respectively take, and subscribe to, an oath or affirmation, to be administered by any officer, having authority, by law, to administer the same, of which a record shall be kept, by such officer, to support the constitution of the United States, the constitution of the Commonwealth of Pennsylvania, and perform the duties of their office with fidelity.

Members of the board to take oath.

SECTION 6. That a general meeting of such associations shall be held annually, at such time and place as shall be fixed by the by-laws thereof; special meetings may be called by the board of direction; notice of every meeting shall be given for twenty days, by weekly publication, in such of the newspapers in the proper county, as the board shall determine, or by printed or written handbills.

Meetings.

SECTION 7. That the by-laws, adopted for the government of such associations, shall be in conformity with the provisions of this act, as also of the constitution of the United States, and the laws and constitution of this Commonwealth, which shall provide for the admission and expulsion of members, and for the general regulation and government of such association, and for carrying out its objects: *Provided*, That none of said by-laws shall be amended or repealed, except by a majority of two-thirds of the members present, at any general meeting of such association.

By-laws.

Proviso.

SECTION 8. That one-third of the members of such association, shall constitute a quorum, at any meeting thereof, for the transaction of its business, and that such association, before it can avail itself of the provisions of this act, shall file, in the court of Common Pleas, of the proper county, duly attested by the officers thereof, a list of its officers, name, style or title, and a copy of its by-laws, and shall also file any amendments to their by-laws, before the same shall take effect; whereupon, the prothonotary shall issue a certificate to such association, under the seal of said court, certifying that the provisions of the foregoing section have

Quorum.

List of officers, &c., to be filed in court.

Prothonotary to issue certificate.

been complied with; and his fee for such service shall be fifty cents.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 37.

An Act

Authorizing the burgess and town council of the borough of Stroudsburg, Monroe county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Stroudsburg be and they are hereby authorized and empowered to borrow, on the credit of said borough, any sum or sums of money not exceeding two thousand dollars, and to issue bonds, or certificates of indebtedness thereof, under the corporate seal of said borough of Stroudsburg, attested by the burgess and secretary for the time being, in sums of not less than twenty-five dollars each, payable at the expiration of five years, or any shorter period, at the discretion of said burgess and town council, from the date of issue, at a rate of interest not exceeding six per centum per annum, which interest shall be payable annually to the holder or holders of such bond or bonds, certificate or certificates; and the said burgess and town council shall have authority, from time to time, and as often as the same may be necessary, to raise by taxation, in the manner pointed out by existing laws for that purpose, such sum or sums of money as will be necessary to pay off the principal and interest of said bond or bonds, certificate or certificates: *Provided,* That such money, when borrowed, shall be applied to the payment of the present indebtedness of the borough, or the indebtedness which the said burgess and town council incurred, in repairing the damages caused

to the streets of said borough, by the freshet of June, one thousand eight hundred and sixty-two.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 38.

An Act

To authorize the School Directors of Claysville District, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the directors of the common schools of the Claysville district, in the borough of Claysville, Washington county, for the time being, or their successors in office, be and are hereby authorized and empowered to borrow any sum or sums of money, not exceeding two thousand dollars, for the purpose of paying for the construction and erection of a new school building, to be erected in said district, in the said borough of Claysville; and it shall and may be lawful for the said board of school directors of the said district, to secure the money so borrowed, by bond or bonds, with mortgage or mortgages upon the real estate belonging to the said school district, or otherwise, as said directors may direct: *Provided*, No certificate of loan, for the sum or sums so borrowed, shall in any case, be issued for less sums than one hundred dollars. Authorized to borrow money.

SECTION 2. That the said school directors are hereby empowered to provide for the gradual liquidation of said loan, by increasing the school tax within the said district, above the rate fixed by existing laws: *Provided*, The same shall not exceed six mills on the dollar, yearly. School tax may be increased. Proviso.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 39.

An Act

To authorize the Chief Burgess and Council, of the borough of York, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the chief burgess and council, of the borough of York, be and they are hereby authorized to borrow, on the credit of said borough, such an amount of money, not exceeding ten thousand dollars, at a rate of interest not exceeding six per centum per annum, as they shall deem necessary, for the purpose of liquidating the debts of the borough now due.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN

No. 40.

An Act

To limit the pay of the Commissioners of Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the daily pay now allowed the commissioners of Crawford county, by law, they shall each receive a salary of three hundred dollars per annum, and no more, which shall be compensation in full for all their services: *Provided*, That their actual and reasonable expenditures for transportation,

while attending to the construction and repair of bridges, shall be allowed, on the settlement of their accounts.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 41.

A Supplement

To an act, entitled "An Act to extend Fifteenth and Green streets, in the city of Philadelphia," approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners appointed under the second section of the act, to which this is a supplement, shall receive for their services the sum of five dollars each; and said commissioners shall have power to employ a competent surveyor, to examine and survey the said Green street so laid out, and to make such drawings and plans as shall be necessary: *Provided,* The expenses shall not exceed one hundred dollars, and the city commissioners shall draw an order for the amount upon the city treasurer, when certified to by a majority of the said commissioners.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 42.

An Act

To extend the time for commencing operations and finishing the Middle Coal Field Railroad Company.

Time for commencing and completing road extended.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time limiting the Middle Coal Field Railroad Company to commence their operations as fixed by an act, entitled "An Act to incorporate the Trevorton, Mahanoy and Susquehanna Railroad Company," passed the twenty-second day of March, Anno Domini one thousand eight hundred and fifty, to which the act passed the fourth day of May, one thousand eight hundred and fifty-two, incorporating the Middle Coal Field Railroad Company, refers to for its powers and privileges, the same is hereby extended until the first day of April, Anno Domini one thousand eight hundred and sixty-six, for the commencement thereof, and until the first day of April, Anno Domini one thousand eight hundred and seventy, for completing the same.

Additional corporators.

SECTION 2. That John Rosser, William Fegely, John B. Douty, Samuel John, William I. Weaver, Charles P. Helfenstein, John Foy and Abraham Shipman, be and they are hereby constituted additional corporators, in the organization of said company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 43.

An Act

To empower the Town Council of the borough of Bellefonte, in Centre county, to borrow money.

WHEREAS, The citizens of the borough of Bellefonte, in the county of Centre, are desirous of extending the water works,

so as to supply the whole borough with water, by changing the location of the reservoir to a more elevated position, which, with the necessary enlargement and extension of water pipes, will cost a sum greatly beyond what could be realized by ordinary taxation, within the time that said cost of improvements should be paid: *And whereas*, They are desirous of borrowing money for said purpose, and for other public improvements, as well also as for the purpose of paying off the present indebtedness of said borough: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Bellefonte, in the county of Centre, be and they are hereby authorized and empowered to borrow, upon the credit of said borough, for the purpose of extending the water works of said borough, for making other public improvements therein, and for the paying off, or funding the present indebtedness of the same, any sum of money not exceeding ten thousand dollars, at a rate of interest not exceeding six per cent, payable at any time the said town council shall determine, within ten years: *Provided*, That no bond, or other obligation, shall be issued by said town council, for the payment of sums of a less denomination than one hundred dollars, and that the same shall be exempt from taxation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 44.

A Supplement

To an act, entitled "An Act providing for the completion of a Public Road, in the county of Tioga," passed the first day of May, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the appropriation of two hundred dollars, provided in the second section of the act to which this is a supplement, *Appropriation increased.* be increased to two hundred and seventy-five dollars per year,

and that the same be collected and paid, in the manner therein provided, until the whole sum shall amount to two thousand seven hundred and fifty dollars.

How road taxes in Morris township to be applied.

SECTION 2. That after the said road shall have been completed and opened for public use, all road taxes in said township of Morris, which shall be assessed upon the several tracts of land situate in said township, surveyed on warrants numbered fifteen hundred and ninety-two, fifteen hundred and ninety-three, fifteen hundred and ninety-four, fifteen hundred and ninety-five, and fifty-two hundred and forty-two, shall be applied under the direction of the commissioners named in said act of assembly, and their successors, to the keeping of said road in proper repair, and at their discretion, to the opening of any other public road or roads which may be laid upon said lands.

Commissioners authorized to lay out roads.

SECTION 3. The said commissioners, and their successors, shall have full power and authority to lay out, upon said land, such road or roads, as in their judgment may be needful for public use.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 45.

A Supplement

To an act, entitled "An Act to alter the Road Laws, in the township of Lenox, in the county of Susquehanna, and for other purposes," approved the third day of March, Anno Domini one thousand eight hundred and forty-seven.

How moneys collected by supervisors to be paid out.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any moneys that may be collected by the supervisors of the township of Lenox, in the county of Susquehanna, under the third section of the act to which this is a supplement, or which may be collected under the provisions of this act, be paid by the supervisors into the township treasury, and be paid out by the treasurer, on orders drawn by the supervisors, for the purposes hereinafter provided for.

SECTION 2. That it shall be lawful for the supervisors, in ^{Opening of new} their discretion, to open all new roads, upon orders presented ^{roads, relative} to them from the court of Quarter Sessions, for that purpose, ^{to.} in the same manner as are prescribed in the various acts of assembly, existing prior to the passage of the said Lenox road law, and for which purpose said acts of assembly are hereby declared to be in force, and that the expenses for opening said road, shall be paid by them by orders drawn upon the treasurer: *Provided however,* That where roads are ordered to be opened, ^{Proviso.} in any district or districts in which taxes are in the hands of the road master or masters of said districts, that have not been worked out, the supervisors may direct said taxes to be applied towards the opening of said road or roads, if, in their judgment, said taxes are not required on other roads already opened and in use in said district or districts.

SECTION 3. That in all cases, where by high water, or by ^{Repairs in cases} other means, any bridge or bridges shall be damaged or de- ^{of damages, how} stroyed, or the roads rendered impassable, after the taxes ^{made and paid} have been exhausted in the hands of the road masters, or if ^{for.} such taxes shall be insufficient to make necessary and immediate repairs, it shall be the duty of the supervisors to make such repairs as shall be necessary, in their judgment, and draw orders on the treasurer for the same, and such supervisor shall be entitled to receive one dollar, for each and ^{Compensation} every day necessarily spent by him in the discharge of his ^{of supervisors.} duties, as herein provided for.

SECTION 4. That the number of districts shall not be limited, ^{Number of dis-} but the supervisors shall, in their discretion, in each year, ^{tricts.} designate the number of districts, and enter the same upon the town records.

SECTION 5. That it shall be the duty of the supervisors, ^{Supervisors} whenever it shall be necessary for paying orders that have ^{may levy tax.} been given by them, on the treasurer, for the purpose aforesaid, or for paying any sums which they may have contracted to pay, in the future, or for paying the fees, on demand, of the township officers, due or to become due, with the approbation of two justices of the peace of the county, to levy a tax upon the township, not exceeding one cent on the dollar, to be collected by them as other taxes are by law collectable.

SECTION 6. That all acts of assembly heretofore existing, so ^{Repeal.} far as they are inconsistent with this act, or that are altered or supplied by the same, are hereby repealed, so far as they apply to said township of Lenox.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 46.

An Act .

To provide for recording Inventories of Appraisement, of decedents' estates, in the county of Lebanon.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Certain act extended.

That the act of assembly, approved the first day of May, one thousand eight hundred and sixty-one, entitled "An Act relative to recording inventories of appraisements of decedents' estates, of Lancaster county," be and the same is hereby extended to the county of Lebanon.

Duty of register

SECTION 2. That it shall be the duty of the register of the said county, to record all inventories and appraisements of decedents' estates, which have been filed in the register's office of said county, since the first day of January, Anno Domini one thousand eight hundred and sixty, and his compensation for recording all such appraisements shall be the same as is allowed by law for the recording of deeds, and the costs of recording such inventories and appraisements, now in arrear, shall be paid out of the county treasury.

Compensation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 47.

An Act

To confer on Roberta Gray, of the city of Philadelphia, all the rights and privileges of a child born in lawful wedlock.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Roberta Gray, an illegitimate child of Robert E. Gray, and Elizabeth Bray, of the city of Philadelphia, shall have and

enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable, in law, to inherit and transmit any estate whatsoever, as fully and effectually as if she had been born in lawful wedlock.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 48.

A Supplement

To the act, incorporating the North Lebanon Railroad Company, approved April second, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall and may be lawful for the North Lebanon Railroad Company, annually, on the second Monday in January, to elect one president and four directors, instead of the number heretofore authorized to be elected, and that a majority thereof shall constitute a quorum for the transaction of the business of the said company.

Election of officers.

SECTION 2. That the stockholders, who may annually be appointed to hold the elections for president and directors of the said North Lebanon Railroad Company, shall also be eligible to the office of directors or president of the said company, and that all laws inconsistent herewith be and the same are hereby repealed.

Eligibility.

Repeal.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 49.

An Act

To lay out and make a State Road, in the county of Clearfield.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That Hiram Woodward, John L. Cattle and James Wrigley, of the county of Clearfield, are hereby appointed commissioners, to lay out by courses and distances a state road, from the Snowshoe and Packersville turnpike, at the house of Israel Nichols, to the Bennett's Branch of the Sinnemahoning creek, at or near the house of William D. Woodward, in Huston township, by way of the present township road, with full power to change the location of said road wherever they may deem it advantageous, and when the said road is so laid out, they shall file a draft and description of said road, in the office of the clerk of the court of Quarter Sessions of Clearfield county; and for their services in said work, they shall be paid a reasonable compensation by the commissioners of said county, out of the funds hereinafter appropriated to the construction and improvement of said road.

Route.

Draft.

Compensation.

Control of road vested in county commissioners. **SECTION 2.** That for the purpose of constructing, improving and completing said state road, and in order more effectually to attain the object contemplated by the act, entitled "An Act to appropriate the road taxes on certain unseated lands, in Clearfield county, to the improvement of a road through the same," approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six, the control and supervision of the said state road is hereby vested in the county commissioners of Clearfield county, and they shall annually, in the month of January, appoint three citizens of the said county, to direct, manage and control the construction, improvement and completion of said state road, and shall take from said directors their bond, with two sufficient sureties, in two thousand dollars, conditioned for the faithful performance of their duties under this act; and the said directors, having been duly sworn and affirmed, shall have power to enter upon the said road so as aforesaid located, and upon lands adjoining the same, and make, improve and complete the road aforesaid; they shall take and have the control of the taxes hereinafter named, and shall expend them upon the road aforesaid; they shall be entitled to one dollar and fifty cents per day each, for each day necessarily spent in the performance of their duties under this act, and their accounts and charges for services shall annually be settled, passed and adjusted by the county auditors of said county, at their annual settlement, with the right of appeal to both the county and the accountant, as now provided for by law in the case of county treasurers.

Directors to be appointed.

Their duties and powers.

Compensation.

SECTION 3. That for the purpose of constructing and improving the state road aforesaid, and of paying the necessary expenses thereby incurred, the said commissioners shall annually assess a road tax, not exceeding the amount now allowed by law, upon all the unseated lands in the township of Huston, except those lying north and west of Bennett's Branch, in said township, and also upon all the unseated lands in the township of Pike, which lie north of the Snowshoe and Packersville turnpike; and the said taxes shall be collected and paid over to the directors appointed under the provisions of the second section of this act, upon the warrant of the commissioners, drawn upon the county treasurer, in the manner now provided by law, and no other road taxes than those so assessed shall be collected from said lands, during said years.

Commissioners to assess a road tax upon unseated lands in Huston and part of Pike townships.

How to be collected and paid.

SECTION 4. That when the said road is so opened, it shall be taken and deemed a public highway, and all the provisions of the general road law, in relation to obstructions thereof, and fines and penalties therefor, shall be applicable to the said state road, and all laws, or parts of laws, inconsistent with the provisions of this act, are hereby repealed.

Subject to.

Repeal.

SECTION 5. The commissioners named, in the first section of this act, shall also lay out a branch to said state road, commencing at the same, at the upper forks of Moose creek, and thence by the best route to the Snowshoe and Packersville turnpike, west of Horn's shanty, and the taxes assessed for road purposes, on tracts of land numbered four thousand two hundred and fifty-one, four thousand two hundred and fifty-two, four thousand two hundred and fifty-three, four thousand two hundred and fifty, five thousand seven hundred and seventy-four, five thousand seven hundred and seventy-five, five thousand seven hundred and seventy-six, five thousand seven hundred and seventy-seven, five thousand seven hundred and eighty-three, and five thousand seven hundred and eighty-four, in addition to the lands hereinbefore named, shall be appropriated, under the provisions of this act, to the making and improvement of said state road, and all the provisions of this act, in reference to the main road, are hereby made applicable to the branch so to be laid out.

Branch road may be laid out. Routes.

Taxes assessed on certain tracts of land, how to be appropriated.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 50.

An Act

To incorporate the Graham Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That James B. Graham, James T. Leonard, Richard Shaw, senior, Thomas H. Forcey, George L. Reed, J. G. Hartswick, and John M. Adams, or any five of them, be and they are hereby appointed commissioners, to open books, receive subscriptions to stock, and organize a company, by the name, style and title of the Graham Turnpike Road Company, with power to locate and construct a turnpike road, from the end of the Union turnpike, at George J. Kyler's, in Clearfield county, by way of Grahamton, by the best and most eligible route, to the Milesburg and Smethford turnpike, at a point west of Central Point, on said road; that the capital stock of said company shall consist of four hundred shares, of twenty-five dollars each, and that the company may, from time to time, at a meeting of the stockholders called for that purpose, increase the capital stock to such an amount as may be required to complete said road; that the said company shall be organized under, and be subject to all the provisions and restrictions, and entitled to all the franchises and privileges imposed and conferred by the act, entitled "An Act regulating Turnpike and Plank Road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

Subject to. **SECTION 2.** That the said company shall have the right to erect a bridge across the West Branch of the Susquehanna river, at a point at which their road crosses the said river, and when the same is completed, the said bridge shall be controlled and regulated by the provisions of the act, entitled "An Act regulating Bridge companies," approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five, and the several supplements thereto.

May purchase right of way on private roads. **SECTION 3.** The said company shall have the right to contract for, and purchase the right of way upon any private road leading in the direction of either of the termini of their said road, and may construct the said turnpike road thereon, and whenever one or more miles of said road is completed, they shall have power to erect gates, and receive tolls thereon.

When tolls may be received.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 51.

An Act

Relative to the Investment of trust moneys, in the county of Adams.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Orphans' court, of the county of Adams, to authorize the investment of trust moneys in the loans of said county, in the cases provided in, and agreeably to the provisions of the fourteenth section of the act relating to the Orphans' courts, passed the twenty-ninth day of March, one thousand eight hundred and thirty-two.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 52.

An Act

To alter the Road Laws in the township of Franklin, in the county of Susquehanna.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to alter the road laws, in the township of Lenox, in the county of Susquehanna, and for other purposes," approved the third day of March, Anno Domini one thousand eight hundred and forty-

LAWS OF PENNSYLVANIA,

seven, be and the same are hereby extended to the township of Franklin, in said county.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 53.

An Act

For the relief of William Brennan and Bernard M'Tighe.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Auditor General and State Treasurer be and they are hereby authorized to open and re-settle the accounts of William Brennan and Bernard M'Tighe, late clerks of the Mayor's court, of the city of Carbondale, with the Commonwealth.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 54.

A Further Supplement

To an act to incorporate the Penn Haven and White Haven Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time allowed by law for the carrying into execution and completion of the powers and privileges authorized by "A Further Supplement to an act, to incorporate the Penn Haven and White Haven Railroad Company," approved the twenty-second day of April, one thousand eight hundred and sixty, be and the same are hereby extended for the term of five years.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 55.

An Act

To divide the borough of Lock Haven, in the county of Clinton, into three wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the borough of Lock Haven, in the county of Clinton, shall be divided into three wards, as follows, to wit: All that portion of said borough lying east of the Broad Eagle Cross Cut Canal shall be called the East ward; and all that portion of said borough lying between the said Bald Eagle Cross Cut canal and Mill street, and the alley running from Main street, opposite Mill street, to the southern line of the borough, shall be called the

Division into wards.
Boundaries.
Remain a separate school district.

seven, be and the same are hereby extended to the township of Franklin, in said county.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

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JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

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A Further Supplement

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WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

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Division into wards.

Boundaries.

Remain a separate school district.

Middle ward; and all that portion of said borough lying west of Mill street and the alley above mentioned shall be called the West ward: *Provided*, That the said borough of Lock Haven, shall be and remain a separate school district, as it now exists, and as if this act had not been passed.

Election districts.

Election officers

Return judges.

SECTION 2. That the said East, Middle and West wards shall, from and after the passage of this act, form three separate election districts, and the qualified voters resident therein shall hereafter separately elect, in each year, on the day fixed by law for the holding of the annual spring elections, one judge, and two inspectors, and one assessor, to conduct the general and borough elections, in said wards, and all other borough officers as heretofore authorized, where election is not herein otherwise provided for, shall be elected by the joint vote of all the wards, as if this act had not been passed; and the judges of the elections in the several wards are hereby appointed return judges of their respective wards, to meet at the prothonotary's office, in the borough of Lock Haven, on the day after the spring election, in each year, and having so met, they shall deliver to the said prothonotary the returns of the votes cast in their respective wards, duly certified, for the several borough and ward officers, that may have been voted for; and the said prothonotary is hereby required to make out a certificate of election, to the persons who, by the decision of the return judges, may have been elected.

Election officers for the East ward.

Election of judges and inspectors for West and Middle wards.

Notice.

SECTION 3. That the judges and inspectors who held the last general election, in the borough of Lock Haven, shall hold the next spring election for the East ward; and the qualified voters of the Middle and West wards, who may be present at the polls, at the opening of the next election, shall, by a majority of votes there present, elect one qualified voter, to act as judge, and two inspectors for each ward, who shall conduct said first election after the passage of this act; and the election of such officers, as may be herein provided for, shall be lawful, although no notice may have been given by the borough constable, for the holding of the first election held under this act.

Election of councilmen, school directors and auditors.

SECTION 4. That hereafter, the number of town councilmen, and the number of school directors in said borough, shall be nine, and three auditors shall be elected for the borough; three of the members of town council, and three school directors, and one of the auditors shall reside in, and be elected by, the qualified voters of each ward, and the town council shall appoint a street commissioner for each ward; said election for members of town council and school directors and auditors shall take place at the next annual spring election, as provided by law, but the present members of town council and school directors, whose terms of office may not expire at the next election, shall continue in office until the expiration of their terms of office respectively; and the election shall be held only for such number of members of town council and school directors as may be hereafter necessary to fill the board of town council and school directors, to the number fixed in this section.

SECTION 5. That in addition to the powers already conferred

upon the town council, by the general borough law of one thousand eight hundred and fifty-one, and the several supplements thereto, to levy and collect a borough tax, the said town council are hereby authorized to levy and collect annually, a tax not exceeding eight mills on the dollar, on the valuation assessed for county purposes, to be called a street tax, to be expended exclusively for the opening, maintaining, improvement and repair of streets and alleys within said borough; said tax to be expended within the limits of the wards, within which the same shall have been levied and collected, by the street commissioner appointed for said ward: *Provided*, That no part of the general tax levied and collected for borough purposes, under the provisions of said act of one thousand eight hundred and fifty-one, and the supplements thereto, shall be applied towards the improvement and repair of the streets and alleys, but shall be appropriated to general borough purposes.

Council authorized to levy a street tax.

How to be expended.

Proviso.

SECTION 6. That it shall be the duty of the commissioners of the county of Clinton, to furnish the judges and inspectors of each of said wards the same ballot boxes, blank forms, and list of taxables, and all other papers as are now furnished to the judges and inspectors of elections in said county, said wards being hereby created separate election districts.

County commissioners to furnish ballot boxes, &c.

SECTION 7. That the general, special and borough elections, for said borough of Lock Haven, shall be held for the East ward, at the court house, for the Middle ward, at the Odd Fellows' hall, and for the West ward, at the National hotel, in said borough.

Places for holding elections fixed.

SECTION 8. That the auditors, who may be elected under the provisions of this act, shall serve for the term of three years; and it shall be the duty of said auditors, after having taken and subscribed an oath or affirmation, to perform their duties with fidelity, to meet on the first Monday of January next, and on the same day annually thereafter, and proceed to audit and adjust the respective accounts of the town council, school directors and overseers of the poor, in the same way and manner, and under such regulations, as are required of township auditors in the settlement of the accounts of supervisors, and whose award shall be final and conclusive, unless appealed from within thirty days thereafter; and the said auditors shall make out a correct exhibit of the receipts and expenditures of said borough, for the preceding year, and publish the same in all the newspapers published in said borough, at least two weeks in January and February, in each year.

Term and duties of auditors.

SECTION 9. That all laws, and parts of laws, inconsistent with the provisions of this act, be and the same are hereby repealed.

Repeal.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 56.

A Supplement

To an act to incorporate the New Castle and Beaver Valley Railroad Company, approved February sixth one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Increase of capital stock authorized. That the New Castle and Beaver Valley Railroad Company shall have the power to increase their capital stock to the sum of three hundred thousand dollars, and to borrow any sum of money, not exceeding six hundred thousand dollars, in accordance with the provisions of the act to which this is a supplement.

May construct an additional branch road. **SECTION 2.** That the said company are hereby authorized to construct an additional branch or lateral railroad, not exceeding thirteen miles in length, and in doing so, to have all the powers and privileges contained in their original charter, and the right to cross any other railroad at grade: *Provided,*

Proviso. That the railroad so constructed shall be extended into the county of Beaver.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 57.

An Act

To authorize the Willow Grove and Germantown Plank Road Company to issue preferred stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That the president and managers of the Willow Grove and

Germantown Plank Road Company shall have authority to issue preferred six per centum stock in said company, in shares of twenty-five dollars each, to an amount not to exceed thirty-five hundred dollars, the proceeds to be expended in the improvement of the road of said company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 58.

An Act

To extend the time for the payment of the Enrolment Tax on an act to extend the charter of the Cumberland Valley Mutual Protection Company of Dickinson township, Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for payment of the enrolment tax on an act to extend the charter of the Cumberland Valley Mutual Protection Company of Dickinson township, Cumberland county, and the same is hereby extended for the period of sixty days from the passage of this act, and that upon payment of said enrolment tax, the said act is hereby declared to be in full force and virtue.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 59.

An Act

Supplementary to an act confirming the charter of the borough of Manchester, in Allegheny county.

Election of
councilmen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the citizens and qualified electors of the borough of Manchester, in the county of Allegheny, shall, at the next election for burgess and town council, elect six councilmen, competent persons, chosen from the citizens and qualified electors of said borough, and the two councilmen, that shall have received the highest number of votes, shall serve for the term of three years, and the two councilmen, having the next highest number of votes, shall serve for the term of two years, and the two councilmen, who shall have received the lowest number of votes, shall serve for one year; and annually thereafter two councilmen shall be chosen and elected as aforesaid, to serve for the term of three years.

Vacancies.

SECTION 2. That in case of the death, resignation or removal of any councilman, it shall be the duty of the burgess and town council to elect a competent person, who shall serve the balance of the unexpired time of the retiring officer.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 60.

An Act

To authorize the School Directors of the borough of Downingtown to sell and convey certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Samuel Black, John S. Mullen, Allen W. Wills, Webster F. Hilton, Silas D. Yerkes and Andrew Cox, school directors of the borough of Downingtown, or their successors in office, be and they are hereby authorized and empowered to grant and convey, in fee simple, to Theresa M. Downing, her heirs and assigns, all that certain lot and parcel of lands situate in the borough of Downingtown, in the county of Chester, and state of Pennsylvania, bounded by other lands of the said Theresa M. Downing, and containing thirty-six perches, more or less, with the appurtenances, being the same premises that John Downing did, on the nineteenth day of the eleventh month, one thousand seven hundred and seventy-four, convey to certain persons therein named, for school purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 61.

A Supplement

To an act, entitled "An Act establishing and confirming the place of holding the Courts of Justice, and for erecting the Public Buildings for the county of Butler," approved the eighth March, one thousand eight hundred and three.

WHEREAS, There is a certain Common in the limits of the borough of Butler, Butler county, Pennsylvania, known as the Common, or Quarry Reserve, the legal title to which is vested in the commissioners of said county, and their successors in office, in trust for the said county of Butler :

And whereas, All the stone on said Common, or Quarry Reserve, have been used and taken away, and the design thereof having been fully accomplished :

And whereas, The said Common, or Quarry Reserve, is now, and has always been lying uninclosed, useless and unprofitable, and greatly depreciates the appearance and hinders the growth of the town :

And whereas, It would be greatly to the interests of the citizens of the county, as well as of the borough, to sell the

said Common or Quarry Reserve, so that the same might be improved and beautified; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the commissioners of the county of Butler are hereby authorized to proceed, at once, or whenever they may think proper, to enter thereon, survey and lay the same out into lots, streets and alleys, corresponding with the streets and alleys now located in said borough of Butler, a plot or draft of which to be recorded in the office for recording deeds in said county, and then to sell said lots at public sale or outcry, at the court house in Butler, after at least ten days' notice of said sale shall have been given, by printed hand-bills, of the time and place and conditions thereof, each lot to be sold separate, and the one-third, at least, of the purchase money, to be paid in hand, and the balance to be paid, or secured to be paid, at such time as the said commissioners may think proper; and the said commissioners of Butler county are hereby authorized and empowered to make and deliver deeds to the purchasers of said lots, on their complying with the terms of sale.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 62.

A Supplement

To the act incorporating the Northern Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the Northern Iron Company, incorporated under an act, approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two, be and the same is hereby changed to that of the Catasauqua Manufacturing Company, and by that name and title shall have all the rights and privileges, and be subject to all the

limitations and restrictions contained in the act incorporating said Northern Iron Company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 63.

A Further Supplement

To an act to erect the town of Sunbury, in the county of Northumberland, into a borough, passed the twelfth day of September, Anno Domini one thousand seven hundred and eighty three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgesses, assistant burgesses and common councils of the borough of Sunbury, in town council assembled, shall have full power and authority to levy and collect, annually, as borough taxes therein are now levied and collected for road and poor purposes, road and poor taxes not exceeding one cent on the dollar, upon all real and personal estate, which, by existing laws, is taxable for road and poor purposes, on the valuation assessed for county purposes; and the accounts of the treasurer, and of all collectors of taxes and other officers, shall be audited in the manner and as provided in the act to which this is a supplement, and the supplements thereto.

Burgess and councilmen authorized to levy and collect road and poor taxes.

SECTION 2. That the election within the borough of Sunbury, for officers, as provided by existing laws, shall be held on the third Friday of February, hereafter, and one person shall be elected to fill the office of chief burgess, and one person to fill the office of second burgess, to be voted for on separate tickets; and all laws inconsistent herewith are hereby repealed.

Time of holding borough election.

Repeal.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 64.

An Act

Relating to the borough of West Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of West Pittsburg, in the county of Allegheny, be and is hereby authorized to grant to Gamble Slacker, and company, the right to continue the use of their railway over the public thoroughfares under the control of said borough, as already located within the same, and further to permit the use of such motive power upon the said road as may be enacted by the ordinance of said borough.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 65.

A Supplement

To the act incorporating the Woodlands Cemetery, Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Woodlands Cemetery Company be authorized to sell and convey, in fee simple, grounds on their Woodlands street front, with or without the reservation of ground rents, not exceeding in depth one hundred and forty feet, nor exceeding three-fourths of the whole Woodlands street front, and keeping open the space next westward of the main entrance, as far

west as thirty feet westward of the rivulet that runs through the grounds, and to purchase other adjoining grounds, not exceeding the quantity hereby authorized to be sold; and such new purchase, if made, not to close up any street laid upon the plan of the city of Philadelphia.

WM. HOPKINS,

Speaker of the House of Representatives, pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 66.

An Act

To incorporate the Williamsport Cemetery Company, in the county of Lycoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel H. Lloyd, Abraham Updegraff, John K. Hays, Oliver Watson, Robert Fleming, Elias S. Lowe, Hepburn M'Clure, and their successors, and all others who have heretofore, or who may hereafter purchase burial lots in the Williamsport Cemetery, are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the Williamsport Cemetery Company, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and may have and use a common seal, and the same at their pleasure to alter or renew, and shall have power to purchase, have, hold and enjoy, to them and their successors, and all others who have, or shall purchase lots in said cemetery, all such lands as they shall deem necessary for the purpose aforesaid: *Provided,* That the whole quantity of real estate to be held by the said corporation, shall not exceed fifty acres; and the said corporation shall have authority to receive gifts and bequests, for the purpose of ornamenting and improving said cemetery, and to hold such personal property as may be necessary to carry into full effect the object of this act

Corporators.

Title.

Seal.

Privileges.

Proviso.

Election of managers.

SECTION 2. That the affairs of the said corporation shall be conducted by a president and seven managers, who shall be elected by a majority of the votes of the members of the corporation, on the first Monday of May, in each year; of which election at least three weeks' notice shall be given, in a newspaper published in Williamsport; and in the event no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held; and at all elections for officers, each person holding a lot or lots in said cemetery shall be entitled to one vote only; and Samuel H. Lloyd, Abraham Updegraff, Elias S. Lowe, Robert Fleming and John K. Hays, are hereby appointed managers of said corporation, to continue in office until the election on the first Monday of May next, and until their successors are duly elected; and the said managers shall organize by electing one of their number president.

Powers and duties of managers

SECTION 3. That the president and managers shall have power to fill all vacancies which may occur in their own body, and shall have power to lay out and ornament the grounds purchased for said cemetery; to erect such buildings thereon as may be deemed necessary for the enjoyment of the same; to lay out, sell and dispose of burial lots; to appoint all necessary officers and their several duties, and to make such by-laws, rules and regulations as they may deem proper for conducting the affairs of the corporation, and for the government of members and visitors to the cemetery, and for the transfer of lots, and the evidence thereof.

Opening roads through cemetery.

Penalties for trespasses.

SECTION 4. That no streets or roads shall hereafter be opened through the lands of the said corporation, and that any person or persons who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument, grave stone, ornamental tree or trees, shrubbery, or other structure or ornament placed in the said cemetery, or any fence, railing, hedge or other work for the protection or ornament of said cemetery, or of any tomb, monument, grave stone or other structure placed therein as aforesaid, or shall shoot or discharge any gun or other fire-arms within the limits thereof, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before any justice of the peace of the county of Lycoming, be punished by a fine, at the discretion of the justice, not less than five, nor more than one hundred dollars, and in default of payment of such fine and legal costs, be committed to the common jail of said county until the same shall be fully paid, or shall, on conviction thereof, in the court of quarter sessions of said county, be punished by fine as aforesaid, and by imprisonment, at the discretion of the court: *Provided however,* That the prohibition of the firing of a gun, or other fire arms, within the limits of said cemetery, contained in this section, shall not be construed to prohibit the burial of any person or persons with military honors therein.

Proviso.

Lots transferable.

Not subject to attachment or executions.

SECTION 5. That the lots in said cemetery shall be held for the purpose of sepulture only, transferable with the consent of the president and a majority of the managers, and shall not be subject to attachment or executions; and all the ground, including the house and lot erected for, and occupied by the

sexton, and held by the corporation for the uses and purposes of the said corporation, shall be exempt from all taxation while so used. Exempt from taxation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 67.

An Act

To change the venue, in a certain case, from Beaver to Washington county.

WHEREAS, An indictment is now pending in the court of oyer and terminer, of Beaver county, against Eliza H. Barker, Margaret Jones, Eliza B. Craft, Jesse Barker and James Barker :

And whereas, The said defendants allege that they can not secure an impartial trial by a jury in that county ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain indictment now pending in the court of oyer and terminer of the county of Beaver, against Eliza H. Barker, widow, Margaret Jones, servant, Eliza B. Craft, married woman, Jesse Barker and James Barker, yeomen, for felony, being number one, of November term, Anno Domini one thousand eight hundred and sixty-two, of said court, be and the same is hereby removed to the court of oyer and terminer of Washington county, for trial, by a jury or juries, at the May term, or at any subsequent term of said court, together with the record of the said cause, and all the papers relating thereto ; and that the said court is hereby authorized to proceed to trial, verdict and sentence, in the same manner, and with the same force and effect, as the said court of oyer and terminer of Beaver county might or could do : *Provided,* That the said court of oyer and terminer of Beaver county, in term time, or any judge thereof, during vacation, may and they are hereby authorized and required to cause recognizances to be entered into and given by said defendants, of the same amount as those in which they are now held, requiring them to appear and answer in the said indictment, at the May term of the

LAWS OF PENNSYLVANIA,

said court of the county of Washington next ensuing; and also to require and take all such other recognizances as of the prosecutor or prosecutors, witnesses or others in the said case, as may be legal and necessary to the proper prosecution and trial of the said defendants, in the county of Washington: *And provided further*, That the said county of Washington shall not be subjected to any costs or expenses in consequence of, or by reason of the transfer and removal of the aforesaid indictment, but the same, or any part thereof, which would otherwise fall upon the county of Washington, shall be paid by the commissioners of Beaver county, on orders of the commissioners of the said county of Washington.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 68.

An Act

Relating to the estate of Peter Keyser, of the city of Philadelphia.

WHEREAS, By the will of the said Peter Keyser, admitted to probate by the register of said county, in eighteen hundred and forty-nine, he devised the shares of his daughters therein named, and the shares of the children of his deceased daughter, Margaret Canedo, unto his executor, in trust, to invest the same, and pay over the interest to the separate use of his daughters before named, or their children, during their natural lives, in terms, leaving it uncertain whether the shares of the daughters of said Margaret were to continue under said trust during their lives, and said will limits said shares over to the several devisees:

And whereas, The executors having invested the shares of said children of Margaret Canedo, in real estate for them, afterwards conveyed it to them in the belief that they were entitled to take the same, absolutely, and they have made conveyance thereof, by the deed, under a power of attorney from two of said children, which power is not acknowledged

according to our law, and cannot be replaced by another, by reason of the war in Mexico, where the constituents reside; therefore, for confirmation of said instruments and conveying,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the power of attorney from Cipriano A. Canedo, Juan Ignacio Matuti, and Margaretta Ysidora, his wife, to Catalina C. Bond, dated the fourth of June, eighteen hundred and sixty, and by them acknowledged before three notaries public, at Guadalajara, in Mexico, the place of their residence, without certificate of the separate examination of said wife, and recorded at Philadelphia, in letter of attorney book, A C H, number one, page forty-two, shall be taken to be valid, according to the purposes therein expressed, as fully as if acknowledged before an American minister, or consul, in that country, and such acknowledgment had been duly certified by him, with a separate examination of said wife; and said letter of attorney shall be admissible in evidence, and the exemplification of said recording thereof, as to all past or future transactions, or to be done thereunder, within the intent of said power of attorney; that the deed of the survivors of said executors and trustees, Nathan L. Keyser, and Peter A. Keyser, dated the thirteenth day of August, eighteen hundred and sixty-one, unto the children of said Margaret Canedo, to wit: Cipriano A. Canedo, Margaretta Ysidora Matuti, and Catalina or Kate C. Bond, recorded in said county, in deed book A C H, number twenty-three, page two hundred and ten, for premises on the south-west side of Adams street, between West Washington street and Johnson street, containing one acre, one rood and fourteen perches, in Twenty-second ward, of the city of Philadelphia, to be taken to be a due execution of said trust devolved on said executors, as if Margaretta and Catalina had remained *discovert*, and that the title vested in them thereby be taken to have been an absolute fee, discharged of any trust for them; that the deed from the said children of Margaret Canedo, and the husbands of her daughters, dated the fourteenth day of August, eighteen hundred and sixty-one, two of them acting by the other, under said power of attorney granting said premises, in fee, to Peter K. Lynd, and recorded in deed book A C H, number twenty-three, page two hundred and four, shall be taken to be as valid as if said letter of attorney had been duly acknowledged, and said married women had then been *discovert*, and that their future conveyance thereof, the same having been re-conveyed to them, and of any other real estate derived, or to be derived under the will of said Peter Keyser, shall be of the same validity to convey an absolute and valid fee simple title to the purchaser, as if said power had been duly acknowledged, certificated and recorded, and as if said Margaretta and Catalina were under no disability of coverture, and had not before exercised said power of attorney as to said premises, and without liability on the part of the purchaser or purchasers, or of the said former trustees, to see to the application of the purchase moneys; and such pur-

chasers shall hold and enjoy a title free and discharged from said trust.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 69.

An Act

To incorporate the Oakland Railway Company.

- Corporators.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Isaac Whittier, W. O. Leslie, James Johnston, junior, and their associates, successors and assigns, are hereby incorporated into a body politic, in law, by the name, style and title of the Oakland Railway Company, and by that name shall have perpetual succession, with power to make and use a corporate seal, and to ordain, establish and put in execution such by-laws, ordinances, rules and regulations as shall be necessary for said corporation, not being inconsistent with the constitution and laws of the United States, or of this commonwealth, and shall be capable of taking and holding all such real estate and personal property as may be necessary to enable them to carry on the business of said railway, and the same to lease, sell, mortgage or otherwise dispose of at their pleasure, and shall be capable of suing and being sued, pleading and being impleaded, by their corporate name, and shall have generally all the rights and privileges belonging to a corporation.
- Title.**
- Seal.**
- By-laws.**
- Powers.**
- Capital stock.** SECTION 2. That the capital stock of said company shall consist of two thousand shares, of fifty dollars each.
- Authorized to construct or purchase railway.** SECTION 3. That the said company shall have power to lay out and construct a railway, with a single or double track, with the necessary switches, turn-outs and sidings, or to purchase any railway now constructed, with all its rights and privileges, on the route or routes hereinafter mentioned, that is to say: beginning on Fourth street, at a point where said street crosses Grant street, in the city of Pittsburg; thence along Fourth street to Ferry street; thence along Ferry street to Third street; thence along Third street to Grant street;
- Route.**

thence along Grant to Fifth street, and until said Fifth street shall be opened through to Pennsylvania avenue, the said company shall use Diamond street, between Grant street and Pennsylvania avenue; thence along Fifth street, Diamond street, Pennsylvania avenue, and the Farmers' and Mechanics' turnpike road, to a public house known as Henry Barker's, or Point Breeze, with the power also to use, for the purpose of their railway, Shady lane, lying between the Farmers' and Mechanics' turnpike and the Pittsburg and Greensburg turnpike road, and across said turnpike, and to the Penn Township plank road; thence by the nearest and best route to the village of Wilksburg: *Provided however*, That within fifteen months **Previse.** after the passage of this act, the said company shall lay their road along said Shady lane, within four feet of the northern line, commencing within two hundred feet of the Farmers' and Mechanics' turnpike road, and in such manner that not more than five feet of said lane shall be occupied therewith, except where it may be necessary to cross said lane, or to construct a switch or turn-out.

SECTION 4. That whenever any damages may be sustained, **Damages, how** or are likely to be sustained by reason of this company taking to be assessed possession of land or other property, or constructing their **and paid.** railway over private property or private roads, except so far as the usufruct of the before named public streets and roads necessary to the full and perfect enjoyment of the purposes of this act designed; and the said damages shall be assessed and paid in the manner, and according to the provisions of the eleventh section of the act of the nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," and the several supplements thereto.

SECTION 5. That the business affairs of said company shall **Management.** be managed by a board of directors, consisting of three persons, to be elected annually by the stockholders, on the third Monday **Election of di-** of November of every year; and each member of said corpo- **rectors.** ration shall be entitled to a vote for each and every share of stock held by him or her; and further, ten days' notice of **Notice.** every annual election shall be given by publication, in one or more daily newspapers published in the city of Pittsburg: *Provided however*, That the three persons named in this act **Previse.** shall constitute the board of directors, until the third Monday of November next; vacancies in the board of directors occur- **Vacancies.** ring by death, resignation or otherwise, shall be filled by the board, at any meeting called for the purpose; all persons, members of the board of directors, shall hold their office until their successors are regularly and legally chosen.

SECTION 6. That the said company shall have power to raise, **Bonds may be** on bonds to be secured by a mortgage of their railway, in- **issued.** cluding all its stock and franchises, any sum of money not exceeding sixty thousand dollars, for the purpose of carrying out the true intent of this act; no bonds, however, shall be issued for a less sum than one hundred dollars, with interest, at a rate not exceeding seven per centum; said bonds and mortgage to be signed by the treasurer, who shall affix thereto the corporate seal of said company.

Rates of fare.

SECTION 7. That the board of directors of said railway company shall have power to charge and collect any rate of fare for the transportation of passengers over their said road, not exceeding six cents per passenger, to or from any point between Ferry street, in the city of Pittsburg, and Charlotte street, in the village of Oakland, and six cents from any point between said Charlotte street and the village of East Liberty, and between East Liberty and Wilkinsburg, five cents.

Certain sum to be paid into city treasury.

SECTION 8. That in consideration of the use of the streets of the city of Pittsburg, traversed by said railway, said company shall pay into the treasury of the city of Pittsburg, annually, such sum of money as the said railway company and the councils of said city may agree upon: *Provided however*, That the said company, at their own cost and charges, shall keep in good repair so much of the streets over which their road passes as may lie between the rails of the track, any law or usage to the contrary notwithstanding.

Required to keep streets in good repair.

Penalty for injuries to property or obstructions.

SECTION 9. That if any person or persons shall wilfully break, remove, destroy or injure any part of the said railway, or the cars, carriages, station houses or other buildings or property of said company, or shall, without the consent of said company, obstruct or impede the passage on or over the said railway, or any part thereof, the person or persons so offending shall forfeit and pay, for every such offence, the sum of ten dollars, to be paid into the county treasury; all such suits shall be in the name of the commonwealth of Pennsylvania, for the use of the county of Allegheny; and the person or persons so offending shall be and remain liable, in addition to said penalty, to action or actions, at the suit of said railway company, for any loss or damage occasioned by his, her or their act or acts as aforesaid.

May change grade of turn-pikes or plank roads.

SECTION 10. That said railway company shall have full power and authority to make such changes in the grade of any turn-pike, plank and other roads, as may be required to enable them to use their railway with ease and convenience, without obstructing such turnpike or plank road: *Provided*, That nothing contained in this act shall authorize the use of locomotives, with steam power, on any part of the said road.

Use of locomotives prohibited

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 70.

A Supplement

To an act, entitled "An Act to incorporate the Pennsylvania Company for Insurance on Lives and Granting Annuities, and for other purposes," passed the tenth day of March, one thousand eight hundred and twelve.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the Pennsylvania Company for Insurance on lives and granting annuities be and they are hereby authorized, by a majority of the votes, at a meeting held for that purpose, called upon thirty days' notice, in at least two daily newspapers, published in the city of Philadelphia, to empower and direct the board of directors to increase the capital of the said company, either at one, or at several and successive times, by the issue of new stock, the par value of which shall not exceed five hundred thousand dollars: *Provided always,* That the said stockholders shall, at said meeting, first accept the provisions of this act, by a majority of votes then present, in person, or by attorney, duly constituted and appointed.

Stockholders may authorize directors to increase capital.

Limitation
Provide,

SECTION 2. That the said company shall be required to pay to the state treasurer, for the use of the commonwealth, a tax of one-half per centum on the par value of the capital stock which may be issued under the provisions hereof.

Tax on increase of stock to be paid.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 71.

An Act

Supplementary to the act incorporating the borough of Mechanicsburg, the county of Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Additional assessments authorized.

That it shall be the duty of the assessors for the said borough of Mechanicsburg, to assess, and return to the town council of said borough, all persons who may remove into the borough of Mechanicsburg, after the assessments for county rates and levies shall have been made, in each and every year, as well as all persons who may be omitted in the county assessment, together with a valuation of their property, professions, callings, or things liable to taxation; said persons, so returned, to be taxed for borough purposes, the same as if they had been returned by the county commissioners; giving, however, to persons so assessed and returned, the right to be heard, on an appeal, by the town council, if such persons should so require to be heard, at any regular meeting of said council, before the duplicate for the collection of the taxes shall have been issued to the collector.

Appeal.

Vacancies in office of burgess.

SECTION 2. That in case of a vacancy in the office of chief or assistant burgess of said borough, caused by death, inability, or refusal to perform the duties of said offices, respectively, it shall be the duty of the town council of said borough, to elect some qualified person to fill said vacancy or vacancies, respectively, until the next annual borough election.

Refusal to pay penalty for violations of ordinances, relative to.

SECTION 3. That upon the conviction of any person or persons, of violation of a borough ordinance, and judgment rendered for the amount of the penalty imposed for such violation, it shall be the duty of the officer executing such judgment, upon the refusal of the person or persons thus convicted to pay the amount of such judgment, together with the costs, to proceed to collect the amount of the penalty thus imposed, together with the costs, in like manner as is rendered the duty of the collector of county rates and levies, upon the neglect or refusal of any person to pay the amount of tax assessed against him, and in default of property, and failure to give satisfactory security for the payment of the same, within ten days, to be committed to the lock-up, for a period not exceeding the time limited by the charter.

Repeal.

SECTION 4. That all acts, or parts of acts, inconsistent herewith, be and the same are hereby repealed, so far as relates to the borough of Mechanicsburg.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 72.

An Act

Entitled an act to repeal "An Act to secure a stricter accountability of certain public officers in Schuylkill county," so far as the same relates to the township of South Manheim, in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county," be and the same is hereby repealed, so far as the same relates to the township of South Manheim, in said county of Schuylkill, and that the laws existing prior to the passage of the act hereby repealed as aforesaid, be and the same is hereby revived in said township.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 73.

An Act

Relative to the several Courts of Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the several courts of Huntingdon county shall be held or continued one or two weeks, at the discretion of the court.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 74.

An Act

To confer on Catharine Miller, of Fayette county, all the rights and privileges of a child born in lawful wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Catharine Miller, an illegitimate child of Jesse Miller and Christiana Baker, now Christiana Shallenberger, of the county of Fayette, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable, in law, to inherit and transmit any estate whatsoever, as fully and effectually as if she had been born in lawful wedlock.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 75.

An Act

Relative to the Orphans' Home and Asylum for the aged and infirm of the Evangelical Lutheran church.

Preamble.

WHEREAS, The court of common pleas of the city and county of Philadelphia, on the fourth day of June, Anno Domini one thousand eight hundred and sixty, by authority of the thirteenth section of an act of assembly, approved October thirteenth, one thousand eight hundred and forty, entitled "An Act relating to orphans' courts, and for other purposes," did decree and declare that the persons named in a certain instrument of writing, purporting to be the constitution of the Orphans' Home and Asylum for the aged and infirm of the Evangelical Lutheran church, which instrument was afterwards recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, in miscellaneous book A

D B, number one, page one hundred and ninety, should, according to the objects, articles, and conditions in said instrument set forth and contained, become and be a corporation or body politic, in law and in fact:

And whereas, The said corporation is desirous that the provisions of the said constitution, or charter of incorporation, shall be supplied or re-placed as hereinafter set forth; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said corporation, or body politic, is hereby continued in its corporate existence, under its corporate name or style of the Orphans' Home and Asylum for the aged and infirm of the Evangelical Lutheran church, for the purpose of affording a home and support to destitute orphan children, without distinction of creed or country, and to adult members of the Lutheran church, in want, through old age, accident, or disease; educating the said orphan children, and obtaining for them some useful employment, and instructing all the inmates of the house established by the said corporation, in the precepts and doctrines of the Evangelical Lutheran church, as the same are embodied in Luther's Catechism. Incorporation. Name. Objects.

SECTION 2. That the corporation shall consist of the present board of trustees, and their successors, duly qualified and elected. Management.

SECTION 3. That the terms of the present board of trustees shall expire on the first Monday of April, Anno Domini one thousand eight hundred and sixty-three; that the board of lady managers of the said the Orphans' Home and Asylum for the aged and infirm of the Evangelical Lutheran church, shall, on the first Monday of March, Anno Domini one thousand eight hundred and sixty-three, elect nine trustees, to be selected as equally as possible, from the several Lutheran churches of the city of Philadelphia; one-third to serve for a term of one year; another third for the term of two years; and the remaining third for the term of three years, from the said first Monday of April, Anno Domini one thousand eight hundred and sixty-three; that thereafter, on the first Monday of March, in each and every year, the said board of lady managers shall elect three trustees, to serve for the term of three years, from the ensuing first Monday of April, and that any vacancy occurring in the said board of trustees, through any other cause than the expiration of the term of a member, shall be filled for the unexpired term of the late member, by an election to be held by the said board of lady managers, at their monthly meeting held next after the occurring of the said vacancy. Trustees, election and terms of. Vacancies.

SECTION 4. That the board of lady managers of the said the Orphans' Home and Asylum for the aged and infirm of the Evangelical Lutheran church shall consist, as heretofore, of two delegates from each Lutheran church in the city of Philadelphia, that may desire to be represented in the said board; that the said delegates shall be appointed by the board of officers of their respective churches, and shall continue members of the said board of lady managers, until withdrawn Board of lady managers, how appointed.

or re-placed by the same authority, for inefficiency, neglect of duty, or removal from the church which they represent.

Present managers.

SECTION 5. That the present lady managers shall remain in office until withdrawn or re-placed for any of the causes aforesaid, by the churches which they respectively represent, and that each Lutheran church, in the said city, not now represented in the said board, and any Lutheran church that may hereafter be established in the said city, shall be entitled to elect, through their boards of officers, two members of the said board of lady managers.

Meetings and election of officers.

SECTION 6. That the said board of lady managers shall meet at least once in each month; that on the first Monday in the month of March, in each year, they shall elect, from among themselves, a directress, treasurer, and secretary, for the ensuing year, and that until the next election, to be held as required by this act, the present directress, treasurer, and secretary, shall continue in their respective offices.

Powers of managers.

SECTION 7. That the said board of lady managers shall control and direct the domestic economy and discipline of the institution, without any interference on the part of the board of trustees, except so far as may be necessary to carry out and execute the resolutions of the said board of lady managers.

Privileges of corporation.

SECTION 8. That the said corporation shall continue to have all the powers, authority, rights and privileges, which it now possesses, under the charter granted by the court of common pleas of the city and county of Philadelphia, or which, under the existing laws of this commonwealth, are conferred upon any charitable or religious association, when incorporated by the decree of the court of common pleas: *Provided always nevertheless*, That the clear yearly income from the real and personal estate, that may be held by the said corporation, may amount to, but shall not exceed, the sum of ten thousand dollars.

Proviso.

Indenture of orphan children to the corporation.

SECTION 9. That any poor orphan child may be bound, by indenture, to the said the Orphans' Home and Asylum for the aged and infirm of the Evangelical Lutheran church, to be maintained and educated under the rules and regulations which may lawfully be made by the said corporation, as long as the said corporation shall deem it advisable to retain said child; that said indenture, if not otherwise determined, shall expire when the child indentured, if a female, shall have attained the age of eighteen years; and if a male, the age of twenty-one years; that the said indenture shall be as valid and binding as an ordinary indenture of apprenticeship, and shall confer upon the said corporation the same authority over the child, that a master can, by law, exercise over his apprentice; and that the respective rights and duties of the parties to the said indenture shall be determined and enforced, according to the laws regulating the relation of master and apprentice.

How indentures to be executed.

SECTION 10. That indentures, binding poor orphan children to the said corporation, as aforesaid, may be executed by any officer or officers, person or persons, authorized by existing laws to bind any minor to an apprenticeship, or by the mothers, guardians, or next friends of such poor orphan

children: *Provided*, That when any poor orphan child shall be of the age of ten years, and upwards, an indenture, by his or her mother, guardian, or next friend, shall not be valid, unless the child shall have assented to, and executed the same: *And provided further*, That the approbation or consent of a magistrate, or magistrates, shall not be required when poor orphan children are bound to the said corporation, by the guardians or overseers of the poor of any district. Proviso.

SECTION 11. That it shall be lawful for the said corporation to bind, by indenture, any poor orphan child, so as aforesaid bound to the said corporation, to any person, to serve as an apprentice, in any art, mystery, occupation, or labor; and such orphan child shall be bound to serve the time in his or her indenture provided, which, in the case of a male, shall expire on or before his attaining the age of twenty-one years, and in the case of a female, on or before her attaining the age of eighteen years; and that the respective rights and duties of the parties to such indentures shall be determined and enforced, according to the law regulating the relation of master and apprentice. Indenture of children as apprentices.

SECTION 12. That all provisions, contained in the charter, under which the Orphans' Home and Asylum for the aged and infirm of the Evangelical Lutheran church was incorporated by the court of common pleas of the city and county of Philadelphia, and not enacted and confirmed in the preceding sections of this act, are hereby repealed. Repeal.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 76.

An Act

Relating to the selling of the repairing of the Public Roads in the township of Texas, in the county of Wayne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall be the*

Supervisors authorized to sell repairing of roads and bridges. duty of the supervisors of said township, after having given at least two weeks' public notice of the time and place, in one newspaper in the borough of Honesdale, before the second Monday in April, in each and every year, to give out, by public out-cry, to the lowest and best bidder, the repairing, and keeping in repair, all the public roads and bridges in said township, for the term of one year, and all new roads or bridges required to be made or built, shall, from time to time, be let in the same manner.

Cash tax to be levied. SECTION 2. That instead of levying a road tax, as heretofore, it shall be the duty of the supervisors to levy a cash tax on such property as has heretofore been taxed for road purposes, for paying all expenses in keeping said roads and bridges in good repair, under the direction and supervision of the supervisors of said township: *Provided*, That the compensation of said supervisors shall, in no individual case, exceed the sum of twenty dollars per year.

Compensation of supervisors. **Repeal.** SECTION 3. That all acts, or parts of acts, of the general assembly, inconsistent with the provisions of this act, be and the same are hereby repealed, as to the said township of Texas.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 77.

An Act

To provide for the relief of the families of Drafted men and Volunteers in the county of Erie.

Board of relief constituted. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road commissioners of the several townships, and the burgess and councils of the several boroughs, in the county of Erie, are hereby constituted a board of relief for said townships and boroughs respectively, whose duty it shall be to ascertain, without delay, what families of the men drafted, and of those who have volunteered into the service of the United States, from said townships and boroughs, are in

need of assistance, and to determine the amount of relief **Duties and** required by each of said families, per week, during the term **powers of** of said service, and to pay the same to said families, weekly, as hereinafter provided; and the said commissioners, and the burgess and councils of said boroughs, are hereby authorized to pay out of any funds in the treasury, not otherwise appropriated, or to borrow, in such form and manner as they may deem expedient, at a rate of interest not exceeding six per centum per annum, the amount of money necessary to pay said weekly allowance to said families, and also to pay any sums heretofore paid out for such purpose; and they are also authorized to levy a tax for the payment of the money so **May levy tax.** borrowed, or paid out, on the real and personal property in said townships and boroughs, subject to county rates and levies, and to collect the same as county rates and levies are now, by law, collected.

SECTION 2. That any money, so borrowed as aforesaid, shall **How money** be paid into the treasury of the townships and boroughs, **borrowed to be** respectively, and shall be drawn out on the orders of the road **drawn, &c.** commissioners of the township, and of the burgess, in each borough, for the purpose mentioned in section first, and for no other purpose whatever; and the said tax, when collected, shall be paid into the treasury, as aforesaid, and shall be used for the payment of the money so borrowed, and for no other purpose.

SECTION 3. That where such tax shall be levied, the said **Mode of collect-** commissioners and councils shall cause a duplicate, or dupli- **ing tax.** cates, for each township and borough in said county, respectively, to be made out, as they may deem advisable, and one or more suitable persons to collect the tax, so levied, taking bond, or bonds, with approved surety, from said collector or collectors, conditioned for faithful performance of his or their duties; and the road commissioners of said townships and the burgess of said boroughs, shall issue a warrant or warrants, to said collector or collectors, authorizing and commanding him or them to collect, and pay over to the township or borough treasurer, respectively, the amount of his or their respective duplicates, as is directed by law: **Pro-** **Provide.** *vided*, That no fee shall be paid to any person or persons, for the collection or disbursement of any said tax: **And provided** **Provide.** *further*, That said commissioners and councils, respectively, shall have power to exonerate the collector or collectors, from the collection of said tax, so levied as aforesaid, as they may think just and equitable.

SECTION 4. That a true account of the money expended for **Accounts to be** the support of the families of volunteers, from the townships **kept by treas-** and boroughs, as provided by this act, shall be kept by the **urers, and** treasurer of each of them, and presented, verified by the oath **money refund-** of the treasurer, to the commissioners of the county, on or **ed by county** before the first day of November, in each year, during the **commissioners.** time such relief shall be granted; and the amount so paid, as aforesaid, with interest thereon, shall be refunded by the said county commissioners, to the treasurer of each of said townships and boroughs, within six months thereafter; and the relief fund of said county, as now provided by law, is hereby

appropriated to the payment of said money, so expended as aforesaid.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 78.

A Supplement

To an act authorizing the erection of a bridge over the Kiskiminetas river, in Armstrong county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act of the general assembly of this commonwealth, entitled "An Act to authorize the governor to incorporate a company to erect a bridge over the Kiskiminetas river, below the big dam, at the town of Leechburg, in Armstrong county," passed the seventh day of April, one thousand eight hundred and thirty-two, and the several supplements thereto, shall not be so construed as to prohibit said company, or its successors, from erecting and placing necessary embankments and toll-house upon Canal street, in the borough of Leechburg: *Provided,* That the said street be and remain sufficiently wide to allow the passing and re-passing of wagons, and other vehicles, thereon.

SECTION 2. That the said company are hereby authorized and empowered to erect and place their toll-house and embankments upon said Canal street, so as not unnecessarily to obstruct the same.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 79.

An Act

For the protection of Sheep and the taxing of Dogs in the township of Delaware, county of Pike.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the assessors of Delaware township, of the county of Pike, shall annually, when taking the names of the taxable inhabitants of said township, take an accurate account of all dogs, upwards of one month of age, owned and possessed, or kept by any person or persons in said township, noting the number owned or possessed by each person, and kept about any one house, and shall furnish said account to the auditors of said township; whereupon, the auditors shall levy and cause to be collected, annually, by the collector of the county and state tax, who are hereby invested with like authority and power to collect said tax on dogs, as are the collectors of township rates and levies, from every person owning, possessing, or keeping, one dog, the sum of one dollar; and from every person owning, possessing, or keeping, two or more dogs, the sum of one dollar on one dog, two dollars on the second dog, three dollars on the third dog, continuing to increase in like ratio; which tax shall be paid to the town clerk of the township, who is hereby constituted the treasurer of the sheep fund thereof; and when any inhabitant of said township shall sustain damage, by having sheep injured or destroyed within the same, by a dog or dogs, he or she may apply to the auditors of said township, who are hereby appointed appraisers of the damage done by dogs to sheep; and they, or any two of them, are hereby authorized and required to ascertain the amount of damage sustained by the owner of such sheep, injured or destroyed, as aforesaid, and certify the same.

Assessors to furnish auditors with account of dogs.

Tax to be levied

How to be paid and disbursed.

SECTION 2. That the treasurer of the sheep fund shall, if sufficient funds remain in his possession for that purpose, pay all orders for damage done to sheep, in said township, drawn on him by the appraisers thereof; which orders shall take precedence according to their respective dates; his accounts shall be audited and adjusted as the accounts of township officers are directed, by law, to be; and if, at the expiration of the fiscal year, there shall remain in the possession of the treasurer, a greater sum than fifty dollars, after paying all orders then due, it shall be the duty of said treasurer to pay the surplus to the treasurer of the school fund of said township, to be applied to common school purposes therein, under the direction of the proper school directors.

Mode of paying orders for damages.

Surplus to be appropriated to school fund.

SECTION 3. That the said appraisers shall severally receive the sum of fifty cents per day, for their services, rendered in appraising damages done by dogs to sheep, to be paid by the

Compensation of appraisers and collectors.

Evidence of
ownership.

person applying; which sum or sums shall be added to the amount of damages appraised; the collector aforesaid shall be allowed five per centum out of the money collected, and shall, if required by the auditors, give satisfactory security for the faithful performance of the duty assigned him by this act.

SECTION 4. That every dog kept, or staying about any house, shall be deemed sufficient evidence of ownership, to authorize the person appointed for that purpose, to return the person inhabiting said house, as the owner or possessor of such dog; and any person sending his dog from house to house, or place to place, in order to avoid said tax, shall be liable to pay double tax therefor.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 80.

An Act

Relative to election of Constables in the borough of Lebanon, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the third Friday of March, one thousand eight hundred and sixty-three, and annually thereafter, the qualified voters of the East ward of the borough of Lebanon, shall elect one person to serve as constable, and the qualified voters of the West ward of the borough of Lebanon, one person to serve as constable.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 81.

An Act

relating to the licensing of billiard rooms, bowling saloons, and nine or ten pin alleys, at Cresson Springs, in the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the license on each billiard room, bowling saloon, and nine or ten pin alley, at Cresson Springs in the county of Cambria, shall be at the rate of two dollars and fifty cents for every month the same may be used.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 82.

An Act

To lay out a State Road in Chester and Montgomery counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Doctor Joshua B. Jones and Charles P. Shannon, of Commissioners. Montgomery county, and Owen Stover, of Chester county, be and they are hereby appointed to view and lay out, by courses and distances, a state road, leading from the borough of Phoenixville, in Chester county, beginning at point near the Catholic church, on the Tunnel Hill, in said borough, and leading to the new bridge, recently erected by the Black Rock Bridge Company, over the river Schuylkill; thence by the nearest and best route to a point on the Perkiomen and Reading turnpike, in the village of the Trappe, in Montgomery county, where the said turnpike is intersected by a public road, which divides lands of Michael Stierly, and others, from lands recently purchased by William Yocum, in said village of the Trappe, and county of Montgomery, as aforesaid.

Duties and compensation of commissioners, surveyor, &c.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking oath or affirmation, before a justice of the peace, to perform the duties enjoined upon them by this act, with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground, on the route agreed upon by them for the road aforesaid, in such a manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ a surveyor, at a per diem allowance of not more than three dollars, and two chain carriers, at a per diem allowance of not exceeding one dollar and fifty cents; and the said commissioners shall receive a per diem allowance not exceeding two dollars per each day necessarily employed in the discharge of their duties, enjoined by this act, which shall be paid by the treasurers of the counties through which the road may be laid out, one-half to be paid by the treasurer of Montgomery county, and the other half by the treasurer of Chester county.

Drafts.

SECTION 3. That it shall be the duty of the commissioners, as aforesaid, to make out two separate and accurate drafts of the location of said road, respectively noting the courses and distances, as they occur, with such other matters as may serve for explanation, one copy to be deposited in the office of the clerk of the court of quarter sessions, in the respective counties through which the road may pass, on or before the first day of August next, and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty-three feet, and to be made and repaired as all other roads, laid out by the courts, are made and repaired.

When road to be opened.

Vacancies.

SECTION 4. That the commissioners shall proceed, as soon as practicable, to complete the location of said road, and if any vacancy occur in their number, by death, resignation, or otherwise, the same shall be supplied by the remaining commissioners selecting suitable persons to constitute a board of at least three members.

Duties of supervisors.

SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road may pass, upon notice given, to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 83.

A Supplement

To the act, entitled "An Act to incorporate the Erie Cemetery."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the annual meeting of the corporators of the Erie cemetery shall hereafter be held on the first Tuesday of May, in each and every year. Annual meeting of corporators.

SECTION 2. The managers chosen on the second Monday of January, Anno Domini eighteen hundred and sixty-three, shall continue in office until the first Tuesday of May, Anno Domini one thousand eight hundred and sixty-four. Managers.

SECTION 3. At each annual meeting of the corporators, hereafter held, three corporators shall be chosen, to act as auditors of the accounts of said managers, for the preceding board. Auditors to be chosen.

SECTION 4. It shall be lawful for the managers of said cemetery to receive donations, from any person or persons, in trust, to constitute a fund, the interest of which shall be used, so far as the same shall be required, for the purpose of keeping in repair and order the lots and enclosures thereof, of any person or persons who have removed from the county, and permitted their lots and enclosures thereof to get out of order and repair. Fund for repair of lots and enclosures of persons who have removed.

SECTION 5. Whenever any person or persons, owning any lot in said cemetery, shall permit said lot, its shrubbery or enclosure, to get out of order and repair, it shall and may be lawful for the board of managers of said cemetery to repair said lot, its shrubbery and enclosure, and the reasonable cost thereof to collect from said owner or owners, as debts of like amount are now by law collected, in cases of judgment, in trespass or trover. Authorized to collect from owners cost of repairs, &c.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 84.

An Act

To extend the provisions of an act designating the period for the commencement of the official term of Commissioners, et cetera, of Lancaster county, approved the sixteenth day of May, one thousand eight hundred and fifty-seven, so far as relates to directors of the poor, to Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the provisions of an act, entitled "An Act designating the period for the commencement of the official term of the commissioners, prison inspectors, and directors of the poor and house of employment of Lancaster county," approved the sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven, as relates to the office of director of the poor, be extended to the county of Cumberland.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 85.

A Supplement

To an act of April eighth, one thousand eight hundred and sixty-two, granting certain ferry privileges.

WHEREAS, By an act of the general assembly, approved the eighth day of April, one thousand eight hundred and sixty-two, whereunto this act is a supplement, certain ferry privileges were granted to William M'Conkey and S. W. P. Boyd, within certain limits, in said act described :

And whereas, All persons, by said act, are prohibited from ferrying within said limits ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That said William M'Conkey, and S. W. P. Boyd, or either of them, their heirs or assigns, shall be and are hereby authorized and empowered to sue for and recover, before any alderman or justice of the peace, in the counties of Lancaster and York, any sum not exceeding five dollars, for each and every violation of the privileges to them, or either of them, granted in the act aforesaid, from any person or persons ferrying within the limits therein mentioned.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 86.

An Act

Supplementary to an act relative to roads and bridges in the county of York, approved the seventeenth day of February, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter Sessions of the county of York is hereby authorized and empowered, upon petition, to decree the laying out and opening of public roads in said county, of any width not exceeding one hundred feet: *Provided,* That all proceedings therein shall be entertained and exercised by said court, in accordance with the provisions of the general road law for said county, approved the seventeenth day of February, Anno Domini one thousand eight hundred and sixty, and entitled "An Act relating to roads and bridges in the county of York," and the several supplements thereto.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 87.

An Act

Relative to the sheriff and coroner of Indiana county.

Compensation
of sheriff for
conveying con-
victs to peniten-
tiary.

Proviso.

Compensation
of physicians
for making post
mortem exam-
inations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act, the sheriff of the county of Indiana shall receive, from the treasury of said county, the sum of fifteen dollars, together with the usual mileage, for each and every convict by him conveyed to the Western penitentiary? *Provided*, When but one convict, at any one time, is conveyed, as aforesaid, the said sheriff shall receive the sum of twenty dollars, with the usual mileage.

SECTION 2. That in all cases hereafter of violent deaths, in Indiana county, when an inquest shall be held on the body of the deceased, and it shall be deemed necessary by a coroner or justice of the peace holding the inquest, to call upon a surgeon or physician to make a *post mortem* examination, the fee to be received from the county, by such surgeon or physician, shall be ten dollars, unless the commissioners of the county shall be of opinion his services deserve more, when it may be increased by them to such an amount as they may think just and proper.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 88.

An Act

To annex part of Ephrata township, in Lancaster county, to Earl township, for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the real estate now owned or occupied by Henry Bard, Hannah Henry, Chambers Hahn, Wellington Yundt, Adam

Shriner, Chambers Yundt and Moses Steffy, in Ephrata township, Lancaster county, be and the same is hereby annexed to Earl township, said county of Lancaster, for school purposes; and that the persons aforesaid, and all others who may hereafter occupy said real estate, shall have the privilege to send their children to the public school which shall or may be kept in the village of Hinkletown, in Earl township, in said county of Lancaster, the same as though they were residents of said township; and that the said township of Earl shall be entitled to receive the proportion of the state appropriation which would otherwise belong to said Ephrata township, by reason of the residence of the persons aforesaid, and their families, therein; and it shall be the duty of the school directors of Ephrata township to pay, or cause to be paid, to the school directors of Earl township, all taxes raised for school purposes, of and from the property and persons so as aforesaid annexed to said Earl township, for school purposes; and also its proportion of the state appropriation, if the same shall have at any time been paid to said Ephrata township; and in case of a refusal to pay the same, or in case of a dissatisfaction between the directors of said townships, as to the amount of said indebtedness, the said township of Earl is hereby authorized to recover the amount thereof by action of *assumpsit*, or other proper action, against the said township of Ephrata, in the court of common pleas of Lancaster county, which is hereby authorized and requested to adjudicate the same, and give judgment, and award execution, in the same manner as provided for in other cases of indebtedness by school directors.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 89.

An Act

Supplementary to an act passed April eleventh, one thousand eight hundred and sixty-two, entitled "An Act to incorporate the Home for Friendless Children for the borough of Wilkesbarre, and county of Luzerne."

WHEREAS, In the steps taken to organize the Home for Friendless Children for the borough of Wilkesbarre, and county

Preamble.

of Luzerne, under the act to which this is a supplement, it is supposed that certain irregularities, as to notice and otherwise, may have occurred in the election of trustees and managers, which have hitherto limited their efforts to carry into full effect the laudable and benevolent purpose of their association; therefore,

Certain acts and elections confirmed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the measures, heretofore taken to organize and establish the said institution, be hereby declared valid and effectual, and that the election of trustees and managers, now claiming to be such officers, be and hereby is fully confirmed for the terms for which they were severally appointed or elected; all acts heretofore done by them, under their charter, being confirmed, and full power being given to them to carry into effect all the purposes of said charter, in the same manner as if every step heretofore taken in their organization and election had been entirely regular.

By-laws and meetings, relative to.

SECTION 2. That it shall and may be lawful for the trustees and managers, at a joint meeting composed of a quorum of each of said bodies, to declare, by by-laws and regulations, the duties under the charter requiring the joint actions of both boards; and also those which may be done by the separate action of either board; and also to make arrangements for joint or separate meetings, as may be required, and to give full power to them to act by committees, or in a full meeting of the respective boards, as the true purpose of their association may require: *Provided always,* That such by-laws shall not in any way conflict with the provisions of the original charter

Proviso.

Committal of children and indenture of apprentices, how to be made.

SECTION 3. That the surrender or committal of children to the said institution, under the provisions of the fourth section of the charter, shall be in writing, under the hand of the proper parent or guardian, or when by a judge, under the proper seal of such judge; and all the indentures of apprenticeship, or other instruments of writing, given by said institution, shall be in the respective name thereof, and be sealed by their common seal, and attested by the president and secretary.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 90.

An Act

For the relief of Franklin H. Lane, late treasurer of Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the auditor general and state treasurer be and they are hereby authorized to open and re-settle the accounts of Franklin H. Lane, late treasurer of Huntingdon county, with the commonwealth, and to allow to said Franklin H. Lane, in said settlement, such credits as in their judgment he may be entitled to.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 91.

An Act

To change the mode of selecting Field and Company Officers in the Reserve Volunteer Corps.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all vacancies of commissioned officers, in the regiments of the Reserve Volunteer Corps, shall be filled in the same manner as like vacancies are now filled in other volunteer regiments, from the state, and the governor shall commission and designate the date of rank of all such officers, for present and future vacancies, in like manner as he now does for other Pennsylvania volunteer regiments, now in the field: *Provided*, That all appointments therein be made from members of said corps. Vacancies to be filled by appointment of Governor. *Provide.*

Repeal.

SECTION 2. That so much of the act, approved the fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to create a loan, and to provide for arming the state," as conflicts with this act, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 92.

A Supplement

To the act of April fifteenth, one thousand eight hundred and thirty-four, relating to the Fire Insurance Company of the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fifteenth section of the act, entitled "An Act to incorporate the Erie Fire Insurance Company of Erie county," approved the fifteenth day of April, one thousand eight hundred and thirty-four, as requires that the location of the Fire Insurance Company of the county of Philadelphia shall be north of Vine street, in the county of Philadelphia, be and the same is hereby repealed; and that the directors of the said the Fire Insurance Company of the county of Philadelphia may, if they see proper, at the time of choosing their president, or at any other time, choose one of their number as vice president.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 93.

A Supplement

To an act, entitled "An Act to create a loan, and to provide for arming the State," approved the fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the tax authorized by act of assembly, approved the fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to create a loan, and to provide for arming the state," be and is hereby increased to one-half of one per centum: *Provided,* So much shall be necessary to carry out the true meaning and intent of said act: *Provided,* The provisions of this act shall extend to Venango county only.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 94.

An Act

Authorizing the assessment of a tax in Meshoppen township, Wyoming county, for the payment of bounty to certain volunteers from said township.

WHEREAS, The citizens and tax-payers of Meshoppen township, in the county of Wyoming, on the thirteenth day of September, one thousand eight hundred and sixty-two, at a public meeting, undertook that such persons as should volunteer as soldiers, in the service of the United States, to fill up the quota of said township, and thus avoid the draft which had been ordered, should be paid the sum of seventy dollars each:

And whereas, Divers persons, to the number of sixteen, in pursuance of, and relying upon said undertaking, volunteered

as such soldiers, and were mustered into said service, in company B, in the Fifty-second regiment of Pennsylvania volunteers, and it is right and proper that the said money should be raised by the taxable inhabitants of said township, in proportion to their taxable property; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Supervisors authorized to levy a special tax.

That the supervisors of the township of Meshoppen, in the county of Wyoming, be and they are hereby authorized and required to levy and assess a special tax upon all persons, subjects, and things, within said township, made taxable for county purposes, the sum of twelve hundred and eighty dollars, upon the basis of the last adjusted valuation for county purposes; and to cause a duplicate to be made, in the usual form, for the collection of the same, with a warrant thereto attached, similar to that authorized by law for the collection of taxes for school purposes, which shall be directed to some suitable person, as collector, from whom the said supervisor shall take a bond, with sufficient surety, for collection, and payment over to the treasurer of said moneys, according to the requirements of said warrant; and it is hereby made the duty of said collector to collect the said taxes, in the manner, and within the time provided by law for the collection of taxes for school purposes; for which purpose the warrant aforesaid shall be sufficient authority.

Mode of collection.

Exonerations may be made. Compensation of treasurer and collector.

SECTION 2. The said supervisors are hereby authorized to make exonerations from said taxes, for sufficient cause, as in other cases, and to allow the treasurer and collector, not exceeding five per centum on the sum collected, for their services, to be divided between them as shall be directed by said supervisors; and they are hereby required to draw their warrant upon the treasurer of said township, for the payment of seventy dollars, in favor of each of said volunteers, or of their legal representatives, respectively; payable out of said fund as soon as the same shall be collected.

Duties of treasurer.

SECTION 3. That the treasurer shall keep the moneys collected under this act, as a special fund to pay said warrants, and shall render a separate account therefor, in his settlement with the township auditors.

Surplus to be appropriated to the support of the poor.

SECTION 4. That in the event that the above fund, mentioned in the second section of this act, shall amount to more than seventy dollars each, of said volunteers, and interest on the same, from the time that they were mustered into service, together with expenses of collection, et cetera, that the remainder of said fund shall be applied to the support of the poor of said township.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 95.

An Act

To provide for repairing the side-walks in the borough of Coudersport.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That to enable the burgess and town council of the borough of Coudersport, to keep the side-walks of said borough in good repair, the said burgess and town council are authorized to require the owners of lots, or reputed owners, in said borough, to repair the side-walks in front of their respective lots, or parts of lots, by a specified day, and in accordance with the regulations and specifications of council.

Owners of lots
required to re-
pairside-walks.

SECTION 2. That the secretary of the said burgess and town council shall give personal notice to each person, whose side-walk is required to be repaired, or the reputed owner, or tenant of said property, stating therein what repairs are to be made, the kind of material to be used, the grade of side-walk, and the day when the work is required to be done; which notice shall be served at least twenty days before the work is required to be completed.

Secretary of
council to give
notice.

SECTION 3. That should any property owner neglect to make the repairs required by the said burgess and town council, in accordance with section one of this act, on the notice required by section two having been given, the said burgess and town council of the borough of Coudersport, are hereby authorized to direct the street commissioners of the said borough to make the repairs so required; and a duplicate of the cost of all such repairs shall be made, charging each property owner, reputed owner, or tenant, with the cost of repairing the side-walk in front of their respective lots or parts of lots, and adding twenty per centum to the amount of said repairs; which duplicate shall be placed in the hands of the borough collector, and collected the same as county and state taxes are now by law collected.

In case of ne-
glect to comply,
street commis-
sioners to make
repairs.

Collection of
cost, relative to.

SECTION 4. That if the collector shall be unable to collect the amount so charged to any property owner, reputed owner, or tenant, he shall make return of the same to the county commissioners, who shall enter the amount on the treasurer's duplicate, stating the number of the lot, the name of the owner, or reputed owner, and the charge against the same for the repairs aforesaid; and the county treasurer shall collect the said charges the same as unseated taxes are by law collected.

If not paid, to
be collected as
unseated taxes.

SECTION 5. That if there is no person occupying any lot, the side-walk in front of which is in need of repairs, and the owner, or reputed owner, is a non-resident, then in that case the notice required by the second section of this act may be served on the agent of the owner, or reputed owner, of said lots; or if neither the owner nor an agent resides in the said

Notice may be
served on the
agents of own-
ers, or posted
up on lots.

borough, then notice may be posted up on the lot or lots, with the same effect as if personal notice were given.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 96.

A Further Supplement

To the act incorporating the Manheim, Petersburg and Lancaster Turnpike or Plank Road Company.

WHEREAS, There is now a debt due and owing by the Manheim, Petersburg and Lancaster Turnpike or Plank Road Company, amounting to about ten thousand dollars; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of said company be and is authorized by this act, to receive, on or before the first day of April, Anno Domini one thousand eight hundred and sixty-three, or such other time as the directors may designate, for the purpose of paying said debt, of each and every one of the stockholders, ten dollars for every share that may be held and owned by him, or her, or any corporation, at the time of the passage of this act; and said treasurer shall give notice to the stockholders, at least twenty days previous to the day fixed for making payment, in at least two newspapers of Lancaster county, or otherwise; no stockholder of said corporation, after the passage of this act, shall be allowed to transfer his or her stock, until the debt due on it is paid, or security for the amount given, and approved by the directors; and any sum due and unpaid on stock, on the day fixed for payment, the company shall be allowed to charge interest, at the rate of six per cent. per annum, and no dividends shall be paid to such stockholders, until such time that the dividends will amount to the principal and interest due the company; should there be any stock for which full settlement and payment is not made, on the first day of April, Anno Domini one thousand eight hundred and sixty-four, such stockholder shall be released from any further payment, and all such stock, by whomsoever held, forfeited to the company, for its use and benefit;

from and after the passage of this act, said company shall be known by the name and title of the Manheim and Lancaster Turnpike Company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 97.

An Act

To correct the act, entitled "An Act to incorporate the Loan association of the city of Philadelphia."

WHEREAS, The legislature, during the session of eighteen hundred and sixty-one, passed an act, entitled "An act to incorporate the Loan association of the city of Philadelphia," and which act was approved the first day of May, Anno Domini one thousand eight hundred and sixty-one:

And whereas, In transcribing said act, the words, "one and," were omitted, after the word "exceed," where it occurs in the second section of said act; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the secretary of the commonwealth be and he is hereby required to publish said act, in the appendix to the laws enacted at the present session of the legislature, correcting said second section, by inserting after the word "exceed," where it occurs in said section, the words, "one and."

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 98.

A Supplement

To an act, entitled "An Act, to incorporate the Mifflin County Bank, passed March twenty-sixth, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Other securities
for note holders
authorized.

That from and after the passage of this act, instead of the securities now required by the act to which this is a supplement, it shall and may be lawful for the president and directors of the Mifflin County Bank, to deposit with the auditor general of this commonwealth, as security for the note holders of said bank, either Pennsylvania state stock, or United States stock, at five per cent. below their market value, to any amount and sum the said president and directors of said bank, or a majority of them, may desire, not exceeding the amount of the capital stock of said bank.

Conditions
upon which cap-
ital stock may
be increased or
reduced.

SECTION 2. That said president and directors may, by a majority of votes of the stock which is not now in dispute, in equity, which stock so in dispute shall not be voted by either party claiming the same, until said dispute is finally adjudicated or settled, increase said capital stock, at their pleasure, to any amount not exceeding their capital stock, to wit: five hundred thousand dollars, upon depositing the securities with the auditor general, as required by this act, or the act to which this is a supplement, and complying with the provisions of said acts, in all other respects; and may also, at their pleasure, by a majority of votes, as aforesaid, reduce said capital stock to any amount, not less than one hundred thousand dollars, by delivering up an equal amount of said notes to the auditor general, to be cancelled, and receive in lieu thereof the deposited securities to an equal amount of said notes, so as aforesaid given up to be cancelled.

Notes to be is-
sued by auditor
general, rela-
tive to.

SECTION 3. That it shall be the duty of the auditor general to issue notes of said bank, from time to time, whenever required by said bank, and to deliver the same to the cashier, or the proper officer, duly authorized by said bank to receive the same, to any amount not exceeding its capital stock, and not exceeding the amount secured by the provisions of this act, or the act to which this is a supplement; and upon all such notes as shall or may, from time to time, be secured by a pledge of stock, or stocks, as aforesaid, the said auditor general shall cause to be engraved and stamped, the words, "secured by a deposit of the public stock, and the joint and several liability of the stockholders."

Majority of
votes of direc-
tors sufficient.

SECTION 4. That instead of two-thirds of all the votes being necessary to a decision, a majority only of all such votes as aforesaid, shall be necessary in all elections, matters, and busi-

ness, to be decided by a vote of said directors, and that in no case shall any two directors have the power or right to reject any paper offered for discount: *Provided*, A majority of votes shall be cast in favor thereof; and that so much of the act to which this is a supplement, as is inconsistent herewith, be and **Repeal**. the same is hereby repealed.

JOHN CESSNA,
Speaker of the House of Representatives.

GÉORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 99.

An Act

To correct an error in the act, entitled "An Act to incorporate the Mifflin County Bank," passed the twenty-sixth March, one thousand eight hundred and sixty.

WHEREAS, The said act does not, in obedience to the requirements of the constitution, contain a clause reserving to the legislature certain powers therein mentioned:

And whereas, It is necessary to correct the said error; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the words, as follows, viz: "*Provided*, That the legislature of this commonwealth reserves the power to alter, revoke, or annul the same, whenever, in their opinion, it may be injurious to the citizens of the commonwealth; in such manner, however, that no injustice shall be done to the corporators," be and the same are hereby made a part of the original act of incorporation, with like effect as if the same had been, and were, originally included therein: *Provided nevertheless*, That the said corporation shall, by a vote of a majority of its stockholders entitled to a vote, file in the office of the auditor general of this commonwealth, their acceptance of the said charter,

under the above provision, within sixty days from the passage hereof.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 100.

An Act

To change the place of holding elections in Spring township, Crawford county, Pennsylvania.

WHEREAS, The building, in which the annual elections for Spring township, Crawford county, Pennsylvania, have for many years been held, has been sold and removed :

And whereas, There will be no session of the court for Crawford county until after the time for holding elections for township officers ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That all elections required and held by authority of law, in Spring township, aforesaid, shall be held at the lower school room, in the village of Spring, until such time as the supervisors of said township shall procure some other suitable place for holding elections.

SECTION 2. Upon the supervisors giving the then acting judge of elections, of Spring township, aforesaid, written notice that they have procured some other place, making mention of the same, in the village of Spring, for the purpose of holding elections therein, the board of elections shall proceed to organize and hold the next succeeding, and all future elections, in such place last before-mentioned, until changed by authority of law.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty-three.

No. 101.

An Act

To annul the marriage contract between Thomas D. Nice and Adelaide W.,
his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Thomas D. Nice and Adelaide W., his wife, of the city of Philadelphia, be and the same is hereby annulled and made void, and the said parties released, set free and discharged from said contract, and the duties and obligations thereunder, as fully, effectually and absolutely, as if said contract had never been made.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 102.

An Act

Relative to the plat of water lots of the second section of the town of Erie.

WHEREAS, In compliance with the provisions of the act of assembly, approved January twenty-third, Anno Domini one thousand eight hundred and thirty-eight, entitled "An Act authorizing the laying out of water lots, and the sale of the same, in the second section of the town of Erie," James Williams, commissioner of sales, did duly lay out and sell a row of water lots, in front of the several squares, in the second section of the town of Erie, and caused a survey of the same, the original plat of which was lithographed and afterwards lost or mislaid, but the said lithographed copy was duly proved to be correct, and said commissioner, in pursuance thereof, made and perfected titles to the purchasers for said lots, and received payment therefor, in behalf of the state; (a copy of

which lithographed map, duly proved, has been deposited in the office of the surveyor general;) therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said lithographed map of said plat so proven before the president judge, of the sixth judicial district of Pennsylvania, and the proof thereof attested December twenty-fourth, one thousand eight hundred and fifty-nine, by him shall be made a record of the said surveyor general's office and held in lieu of and of like force with the original plat; and all deeds heretofore made for any of said lots by James Williams, commissioner aforesaid, in accordance with said lithographic map flat shall be held valid.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 103.

An Act

To enable the auditor general and state treasurer to adjust certain public accounts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the settlement heretofore made by the auditor general and state treasurer of the accounts of Alexander Henry and Thomas M'Masters, late treasurers of Armstrong county, in this commonwealth, be and they are hereby opened, and the said accounts referred to the present auditor general and state treasurer for settlement, according to law: *Provided,* That before any settlement thereof, each of said treasurers shall have twenty days' previous notice of the same.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 104.

An Act

To incorporate the Towanda Railroad Company.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

That James Macfarlane, C. L. Ward, G. F. Mason, E. O. Goodrich, Elhanan Smith, Luman Putman, W. L. Phillips, Nathan Tidd, Edward Overton, of Bradford county, and Harvey Shaw, E. R. Myer, E. W. Baird, Edward Lewis, Henry Jones, of the city of Philadelphia, be and they are hereby appointed commissioners, who, or any five of them, are authorized to open books, receive subscriptions of stock, and organize a company, by the name, style, and title of the Towanda Railroad Company, with power and authority to construct a railroad in Bradford county, commencing at the Barclay railroad, between the fifth and eighth mile posts from Towanda, and ending at the Elmira and Williamsport railroad, at the nearest and best point which the said company, when organized, may select; also, with the right to construct a railroad from any coal lands which the said company may hereafter own, in said county, to the said Barclay railroad, at or near the inclined plane thereon; said company shall be subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as the same are altered or supplied by this act.

Commissioners.

Route.

May construct road from coal lands.

Subject to.

SECTION 2. That the said Towanda Railroad Company shall have the right to hold, by purchase or lease, not exceeding three thousand acres of land at any one time, in the county of Bradford, and to mine, sell and transport the coal, and other products thereof; to lease to any person or persons, for one or more years, any mines, or other real estate owned by them, and to transact the usual business of railroad and coal companies.

Authorized to hold lands and mine.

SECTION 3. That the capital stock of the said company shall consist of three thousand shares, of fifty dollars each, with the power to increase the same, from time to time, by a vote of the stockholders, at a meeting called for that purpose, to an amount not exceeding one million of dollars.

Capital stock.

SECTION 4. That said company be and they are hereby authorized to borrow money, to an amount not exceeding the capital stock, upon bonds to be issued by said company, secured by one or more mortgages upon so much of the corporate property and franchises as shall be deemed adequate for the purpose of such security, whenever the president and directors of said company shall deem the issue of such bonds expedient: Provided, That the rate of interest on such bonds

May borrow money.

Bonds.

- shall not exceed seven percentum per annum; and said bonds, or any part thereof, may be drawn, convertible or not convertible into the stock of said company, at the option of the holders thereof, as the said company shall determine when they are issued: *Provided also*, That no bonds shall be issued for a less sum than one hundred dollars, and that said company shall issue no preferred stock.
- Previso.** SECTION 5. That the number of directors of said company shall be six, any four of whom, or three directors and the president, shall form a quorum; the annual meeting of the stockholders, for the election of president and directors, shall be held on the first Tuesday of February, and the first president and board of directors shall serve until that date.
- Election of directors.** SECTION 6. That if the said railroad shall not be commenced within one year from the passage of this act, and completed from the Barclay railroad to the Elmira and Williamsport railroad, ready for use, within four years thereafter, then this charter shall be null and void.
- When road to be commenced and completed.** SECTION 7. That the rates of toll, and motive power charges on coal, on said railroad, shall not exceed two cents per ton per mile, for each ton of two thousand pounds transported over said road, in cars owned or furnished by the parties for whom the coal is transported.
- Rates of charges** SECTION 8. That this corporation shall pay into the treasury of the commonwealth, a bonus of one-half of one per centum on the capital stock hereby authorized, and on any increase thereof, in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.
- Bonus.** SECTION 9. That said company shall have the right to erect and maintain a line of telegraph along their said road, and to extend the same to Troy and Towanda, in Bradford county, and to their mines; and to make the same charges for business done thereon, and have the same rights and privileges within the above limits, and shall be subject to the same obligations and duties as are conferred on, or imposed upon, the Towanda Telegraph Company, by the act of assembly, passed the twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-one, and the act, entitled "An Act to incorporate the Philadelphia and Wilkesbarre Telegraph Company," passed the twenty-ninth day of March, Anno Domini one thousand eight hundred and forty-nine.
- Tax on dividends.**
- Individual liability.**
- May construct a line of telegraph**
- Subject to.**

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 105.

An Act

To authorize the Lehigh Coal and Navigation Company to extend their railroad from White Haven to Mauch Chunk,

WHEREAS, The valley of the river Lehigh has, on several occasions, and latterly on the fourth day of June, one thousand eight hundred and sixty-two, been the scene of fearful floods, occasioning great loss of life and property along the line of said river :

And whereas, The severity of said floods is thought to have been greatly increased by the destruction, mostly above Mauch Chunk, of dams and other works, erected by the Lehigh Coal and Navigation Company, to create a slackwater navigation along said river, in accordance with the requirements of divers acts of assembly, relating to said company :

And whereas, It would greatly conduce to the future safety of persons and property, along the line of said river, if a portion of said works, now in ruins, on the upper section of said navigation, should not be restored :

And whereas, It is nevertheless important to the legitimate interests of said company, and to the public, that the said slackwater navigation should not be disconnected from the railroad, also belonging to said company, and known as the Lehigh and Susquehanna railroad, constructed under a certain act of assembly, entitled "An Act authorizing the construction of a railroad to connect the North Branch division of the Pennsylvania canal, at or within the borough of Wilkesbarre, with the slackwater navigation of the Lehigh," approved the thirteenth day of March, one thousand eight hundred and thirty-seven, said railroad and slackwater navigation forming a continuous line from Wilkesbarre to Easton ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lehigh Coal and Navigation Company be and they are hereby relieved from any and every obligation, at law or in equity, to place or keep in repair their slackwater navigation above Mauch Chunk, or any portion thereof, except such parts of the same as the board of managers of said company shall within one year from the date hereof determine to repair, and signify such their determination by writing, filed in the office of the secretary of the commonwealth ; and the said company are hereby authorized and empowered to construct, or cause to be constructed, upon and along the site heretofore occupied by the said navigation, and the works connected therewith, or upon any land conveniently near to said navigation, a railway, extending from the present terminus of the

Relieved from obligation to keep certain slackwater navigation in repair

Construction of railroad from White Haven to Mauch Chunk authorized.

- Lehigh and Susquehanna railroad, near the borough of White Haven, to Mauch Chunk, or from and to any point or points between said terminus and said Mauch Chunk: *Provided however*, That the said company shall, within one year from the date hereof, commence some portion of the railway hereby authorized, and complete the same within five years from the passage of this act: *And provided further*, That the said company may at any time, within the said five years, from time to time commence, and within a reasonable time thereafter, complete any further portion or the whole of said railway, notwithstanding they may, within the term of one year, as aforesaid, have commenced the construction of only a portion of said entire route; and the said company shall have the right to connect their said railway with the Hazleton, the Beaver Meadow, the Lehigh Valley, and any other railroad now constructed, or which may hereafter be constructed, to run to or along the valley of the Lehigh, in the vicinity of their said railway: *Provided also*, That nothing herein contained shall be construed to interfere with or bar any suit or action now pending against the said Lehigh Coal and Navigation Company; and that a continuous line of railroad communication between White Haven and Mauch Chunk, on one or other side of the river, shall be in operation within two years from the date hereof.
- Time for commencement and completion of.**
- May connect with certain other roads.**
- Proviso.**
- Inclined planes on certain portions of road may be increased or diminished, or use of discontinued.**
- Charges on same.**
- Branches authorized.**
- May borrow money and mortgage property.**
- SECTION 2.** That the said company may make such alterations in the location of their said Lehigh and Susquehanna railroad, between the head of the inclined planes on said road, and the borough of Wilkesbarre, as they may deem expedient; and may increase or diminish the number of said inclined planes, if they shall deem the same advisable; and may suspend or discontinue, from time to time, the use of said inclined planes, whenever they shall deem it more advantageous to do their transportation with locomotive engines over the branch road, commonly called back track, which they have been authorized to build from the head to the foot of the planes, by the act of assembly, approved the eighteenth day of April, eighteen hundred and sixty-one: *Provided*, That instead of being allowed, as heretofore, to charge at each inclined plane where stationary power is used, three times the toll allowed for one mile of road, said company may charge at each plane not exceeding three times as much as for a length of road with locomotive power equal to the length of such inclined plane.
- SECTION 3.** That the said company shall have the right to build branches, not exceeding eight miles in length each, to connect their said Lehigh and Susquehanna railroad, or the aforesaid back track, or the railway authorized by this act, with coal mines or with other railroads.
- SECTION 4.** That for the purpose of constructing the improvements authorized by this act, and for repairing their works, and for general purposes of their business, it shall be lawful for said company to borrow, from time to time, such sums of money as they shall deem expedient, not in the whole exceeding three millions of dollars, and to mortgage their canal, slackwater navigation, railroads, property and franchises, or any part thereof, as security therefor.

SECTION 5. That the provisions of the tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth and eighteenth sections of the act of nineteenth February, eighteen hundred and forty-nine, entitled "An Act regulating railroad companies," and those of the several existing supplements to said act, are hereby extended to the Lehigh Coal and Navigation Company, so far as relates to the construction, maintenance, use, management and repairs of the railway and branches authorized by this act and of the Lehigh and Susquehanna railroad, and the branches thereof; and the said Lehigh Coal and Navigation Company are hereby fully invested with all the rights, powers, privileges and franchises therein contained. Certain provisions extended to.

SECTION 6. That so much of any act or acts of assembly, as is hereby altered or supplied, be and the same is hereby repealed. Repeal.

SECTION 7. That this act shall not go into effect unless it be accepted by a majority of the votes of the stockholders of the Lehigh Coal and Navigation Company, present at a meeting to be called for that purpose, within two months from the passage of this act, nor until a certificate of such acceptance, under the seal of the corporation, attested by the president and secretary thereof, shall have been deposited in the office of the secretary of the commonwealth. When this act to go into effect.
Certificate of acceptance to be filed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 106.

An Act

To exempt from taxation the Philadelphia City Institute.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate and library of the Philadelphia City Institute, situate at the north-east corner of Chestnut and

Eighteenth streets, in the city of Philadelphia, be and the same is hereby exempted from taxation, except state tax.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 107.

An Act

Supplementary to an act extending the powers of the corporation of Bristol borough, in the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Qualifications of voters.

That the charter of the borough of Bristol be and the same is hereby amended, to embrace the following alterations and amendments: that it shall and may be lawful for all persons, entitled to vote for members of the state legislature, and who shall have paid a borough tax within one year: *Provided*, That such tax shall have been lawfully assessed, at least ten days previous to such election; and in case there shall be no borough tax assessed by the burgess and council, then the qualifications to be the same as persons qualified to vote for

Election of chief burgess.

members of the state legislature; to meet at the town hall, in said borough, on the third Friday in March, one thousand eight hundred and sixty-three, and on the third Friday in March, in every second year thereafter, and there elect, by ballot, one person, who shall be styled the chief burgess of said borough, by a plurality of the votes; and in case of a tie vote, the council shall order a new election; he shall serve for two years, and until his successor shall be elected and duly qualified; he shall be at least twenty-five years of age, a citizen of the United States, and have resided within this commonwealth seven years preceding his election, and the last three years in the said borough; he shall take the usual oath of office, in the presence of the council, to be administered by a justice of the peace, at eleven o'clock, A. M., on the Tuesday next succeeding his election, and he shall administer a

Eligibility.

like oath, or affirmation, to each of the newly elected members of the council, and also to the high constable; besides the power otherwise conferred by law, he shall have the like powers as the sheriff of Bucks county now has for the sup-

Duties and powers of.

power otherwise conferred by law, he shall have the like powers as the sheriff of Bucks county now has for the sup-

pression of any riot, disturbance, or violation of law, and shall exercise the authority of making the request for the commanding officer of the militia, in lieu of the sheriff, as now authorized by law, to aid in suppression of any riot, disturbance, or violation of the laws, within the said borough; it shall be his duty to communicate to the council, at least once a year, and oftener, if deemed expedient, a general statement of the condition of the borough, in relation to its government, finances and improvements; to recommend the adoption of all such measures as he may deem expedient for the security, health, cleanliness, improvement and general welfare of the borough; to be vigilant and active in causing the laws and ordinances of the borough to be duly executed, and generally perform all such duties as may be prescribed by the laws and ordinances of said borough, and of this commonwealth; and he may call meetings of the council whenever public emergency require.

SECTION 2. That there shall be elected, at the same time and place, and in the same manner as prescribed by the foregoing section, ten qualified citizens, residents of said borough, who shall be styled a council; they shall be elected for two years, and serve until their successors are duly elected and qualified: *Provided*, That at the first election, after the passage of this act, five of the said council shall be elected for one year, and five for two years, so that annually thereafter there shall be elected five citizens as councilmen for two years; they shall be at least twenty-two years of age, citizens of the United States, and have resided five years within this commonwealth, and two years preceding their election within the said borough; before entering upon the duties of their office, they shall take the necessary oath of office, to be administered by the burgess, at the first meeting of the council after their election: *Provided*, That no person elected, as aforesaid, shall be required to serve in either of the said offices, for a greater length of time than four years, in any period of eight years.

SECTION 3. That from and after the passage of this act, it shall not be lawful for any person or persons to erect or maintain any bone boiling establishment, slaughter house, or glue factory, within the limits of said borough, or erect any shed or awning over the foot walks in front of any dwelling, or place of business, without the consent of the burgess and council having been first obtained, under a penalty of one hundred dollars, to be collected in the manner prescribed in the seventeenth section of the act to which this is a supplement.

SECTION 4. That in all cases of levying taxes, borrowing of money, opening and laying out streets, or vacating the same, or disposing of any of the real or personal property of the borough, it shall require a vote of six members of the council to pass any ordinance or resolution offered for either of the above purposes named, and in all cases the vote shall be taken by yeas and nays, and entered on the minutes.

SECTION 5. That so much of the third section of the act to which this is a supplement, as requires the election of a pound keeper, be and the same is hereby repealed; and it shall, here-

Election and qualifications of councilmen.

Proviso.

Certain nuisances prohibited.

Penalty.

Passage of ordinances by council, relative to.

Burgess and council to elect pound keeper.

Ordinances relating thereto.

after, be the duty of the burgess and council to elect, by ballot, annually, on or before the first Monday in May, one qualified citizen of the borough, to serve as pound keeper, and him to remove for neglect of duty; and to pass such ordinances for impounding of horses, mules, cattle and hogs, found running at large, in the streets of said borough, and fix the fees to be paid by the owners thereof, as they may deem best for the public good.

Duty of assessor

SECTION 6. That so much of the thirteenth section of the act to which this is a supplement, as requires the county commissioners to furnish the burgess of said borough with a correct list of the last adjusted valuation of property, subjects and things, made taxable, be and the same is hereby repealed; and it shall, hereafter, be the duty of the assessor of the borough of Bristol, to furnish to the burgess, whenever required, under the penalty of twenty dollars for every neglect, a certified copy of the last adjusted valuation of property, subjects and things, made taxable in the same, for county purposes, which said property, subjects and things, with the exception of moneys at interest, and stocks of all kinds, are hereby made taxable for borough purposes.

What to be taxable for borough purposes.

Repeal of section relative to extension of Water street east of Market.

SECTION 7. That so much of the original charter of the borough of Bristol, in the county of Bucks, granted the fourteenth day of November, Anno Domini one thousand seven hundred and twenty, which ordains that there shall be another street in said borough, containing in breadth thirty-three feet, called Water street, which shall begin at Mill street aforesaid, on Delaware, sixty feet from Radcliffe street, and run east twenty-seven degrees north, under the bank, along the river side, to the extent of the said borough, on Delaware aforesaid, be and the same is hereby repealed, so far as is required east of Market street, from the end of the said Water street, as now laid out:

Proviso.

Provided, That in case it should become necessary to lay out and extend said Water street east of Market street, in said borough, then, and in that case, it shall be laid out and extended under the provisions of an act, entitled "An Act supplementary to an act altering and extending the powers of the corporation of Bristol borough," approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That in all cases where damages are awarded, under the provisions of this act, the burgess and council shall have power to assess and collect a special tax on the citizens and property in said borough, sufficient to pay the said damages.

Damages.

Repeal.

SECTION 8. That so much of the original charter of incorporation, and all acts of assembly relating to the said borough, inconsistent with this act, are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 108.

A Supplement

To an act relative to certain annuities granted to the Catholic church, in Haycock township, Bucks county, passed April third, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the second section of the act, entitled "An Act relative to certain annuities granted to the Catholic church of Haycock township, in Bucks county," passed the third day of April, one thousand eight hundred and sixty-two, as provides that the proceeds or annual income of the amount at which the annuities in said act mentioned are commuted, shall be applied, from time to time, and forever hereafter, to the support and maintenance of a school or schools, for the education of the young, to be located in the parish of Haycock, be and the same is hereby repealed; and it is further enacted, that upon the sum of one thousand six hundred and sixty-six dollars being invested as provided in said act, in commutation of said annuities, the proceeds or annual income thereof shall be applied, from time to time, and forever hereafter, to the same purposes and objects, and in the same manner as is provided in the said will of Patrick Mulvany, deceased, with reference to said annual legacies or annuities.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 109.

A Further Supplement

To an act revising the charter of the municipal corporation of the city of Reading, passed the thirteenth day of March, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Tickets, how to be printed.

That each ticket, or slip of paper, which, by the provisions of the seventh section of the act of which this is a supplement, is required to be headed city officers, shall contain the names of the candidates for mayor, city treasurer, city auditors and select and common councils, for whom the voter desires to vote; and the ticket or slip to be headed ward officers, shall contain the names of the candidates for aldermen, constables, judge and inspectors of election, controller of schools, and assessor, for whom the voter may desire to vote: *Provided,* That persons residing in the city less than one year, and more than ten days previous to any election for city officers, and having paid a state or county tax assessed within two years, and being otherwise qualified, shall be entitled to vote for all candidates on the ticket headed ward officers.

Qualifications of voters.

When elections to be opened and closed.

SECTION 2. That the elections in the city of Reading shall be opened between the hours of eight and ten o'clock in the forenoon, and close at eight o'clock in the afternoon; and all laws inconsistent with this act are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 110.

A Further Supplement

To an act, entitled "An Act to incorporate the Philadelphia and Delaware River Railroad Company," approved April fourth, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Frankford and Southwark Philadelphia City Passenger Railroad Company be and they are hereby authorized to use steam power to propel cars upon so much of their road as lies north of their depot on Berks streets; and the said company is hereby authorized to use that part of their said road, heretofore mentioned, for the transportation of merchandize.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 111.

An Act

Relative to roads in West Whiteland township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relating to repairing the public roads in the township of New Garden and Pennsbury, in said county," approved the eleventh day of March, Anno Domini one thousand eight hundred and forty-five, be and the same is hereby extended to the township of West Whiteland, in the said county; and the existing road

LAWS OF PENNSYLVANIA,

laws, so far as they are supplied by this act, are hereby repealed in said township.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 112.

An Act

Extending the act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county, to Mauch Chunk township, in Carbon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the provisions of an act relative to the selling and repairing of the public roads in certain townships of Schuylkill county, approved the nineteenth day of January, one thousand eight hundred and sixty, and the supplement thereto, approved the first day of May, one thousand eight hundred and sixty-one, be and the same are hereby extended to Mauch Chunk township, Carbon county: *Provided*, That two supervisors shall be elected as heretofore in said township: *And provided further*, That in lieu of the advertisement and notice therein required, notice shall be given by two weeks' advertisement in two newspapers in the borough of Mauch Chunk, and by at least six written or printed notices in Mauch Chunk township, in the manner set forth in said act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 113.

An Act

Authorizing the town council of the borough of Northumberland to vacate streets in said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Northumberland, in Northumberland county, be and they are hereby authorized to vacate certain streets and parts of streets, alleys and parts of alleys, in said borough, that they may deem necessary for railroad purposes, and the improvement of said borough.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 114.

An Act

Relating to the election of street commissioners in the borough of Lawrenceville, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the second section of the act aforesaid, as authorizes the election of a street commissioner for said borough, be and the same is hereby repealed; and it shall and may be lawful for the burgess and town council of said borough, to appoint one citizen of said borough, to act as street

commissioner therein, for such time as said council may by ordinance determine.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 115.

An Act

Relating to assessments in Jefferson and Clearfield counties.

WHEREAS, Certain duplicates of assessments, in the different boroughs and townships of Jefferson and Clearfield counties, made prior to the year Anno Domini one thousand eight hundred and sixty, are becoming illegible and defaced; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the counties of Jefferson and Clearfield, be and they are hereby authorized to procure suitable books, and cause the assessments of real and personal estates, in the several boroughs and townships in said counties, made prior to the year Anno Domini one thousand eight hundred and sixty, to be copied therein, and to pay the expenses incident thereto, out of the county funds; and that all such books, or copies thereof, shall be received in evidence, in any court of record in this commonwealth, or elsewhere, in the same manner that the original duplicates of assessments, or copies thereof, are now, by law, received in evidence, and with the same force and effect: *Provided however,* That the person or persons, employed to make such copies, shall first be sworn or affirmed to perform his or their duties faithfully, and certify that the same are true copies of the original assessments, and that the same have been compared therewith by the commissioners of said county: *And provided also,* That the commissioners of said counties shall certify, under their hands and official seal, that the same are true copies of the original assessment.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 116.

An Act

Declaring Forge run, in Centre county, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That from and after the passage of this act, Forge run, otherwise called Six Mile run, in Centre county, from the mouth thereof, where it enters into Big Moshanon creek, up to the forks near the Wolf rocks, be and the same is hereby declared a public highway for the passage of logs and lumber.

Declared a public highway.

SECTION 2. That Henry E. Prentiss, the owner of certain lands on said run, and such persons as may associate with him, or any other persons desirous of using said run, for such purpose, may enter upon the lands through which it flows, between said points, and clear out and remove from its channel all obstruction to such navigation, straightening and deepening it, if necessary; and may erect and retain all dams or other works needed, taking from the adjoining lands such materials as are necessary therefor, and paying for them the full value; and may, if necessary, raise the bridges on the public roads that cross it, leaving them as good and permanent as they found them, and safe and convenient for public travel; and if there is any mill-dam on said stream which has not been abandoned, they shall not remove it without consent of the owner, but shall erect and maintain such a sluice as shall pass the logs by it without injury to said dam or mill; and if they occasion any damage to either, shall be liable therefor.

Certain persons authorized to remove obstructions to navigation, &c.

SECTION 3. That if any of the owners of timber lands on said run do not join in the expense of making such improvements, but after they are made, put their logs into the run and have the benefit of them, without paying to those who made the improvements their fair share of their cost, and of keeping them in repair, with interest, in proportion to the quantity of timber they have to be driven down said run, then those who made the improvements are hereby empowered to take a toll on all such logs, sufficient to pay such fair share of the costs; and in case the parties fail to agree among themselves, Chas. R. Foster, of Phillipsburg, in said Centre county, and two associates, to be appointed by the judges of the court of common pleas of Centre county, are hereby appointed commissioners, with power, if called upon by the parties making the improvements, to audit, allow and certify the actual cost of all said improvements, and of keeping them in repair, and to determine, according to the above provisions of this act, what is the fair proportion of those who did not contribute, and what toll shall be assessed on their logs, per thousand feet, board measure, to pay it; and if he finds the toll first fixed too low,

Tolls may be taken for use of stream.

Commissioners may be appointed to certify cost of improvements and determine rates of toll.

Payment of
tolls.

Certain state-
ments required.

Recovery of
tolls.

Privileges of
owners of land.

or higher than necessary, he may alter it from time to time, and when such share is fully paid, said tolls shall be reduced to a sum barely sufficient to pay such share of the cost of taking care of said improvement, and keeping them in repair; and the said persons, making the improvements, may, at their option, demand, in advance, the payment of said toll, or security for the same; and in all cases in which they do so, the persons from whom such demand is made shall be considered and treated as trespassers, if they use, or attempt to use, said run, without first paying, or securing, to the satisfaction of the persons making the improvements, the toll so demanded; and the said persons, making the improvements, may require from all persons using said run, a statement of the amount of lumber put into said run to be floated, and said persons are required to furnish such statement within ten days after its demand, and upon failure so to do, or for a wilfully false statement so furnished, the said persons making the improvements shall be entitled to recover treble the amount of tolls fixed by said commissioners for the actual amount of lumber so floated, and said persons making the improvements shall have power to sue for and recover all toll, so fixed by said commissioners according to the provisions of this act, against any person or persons owning an interest in the logs so floated, and all penalties hereby imposed, as debts and penalties of like amount are now by law recoverable; and the legal representatives or assigns of the persons making the improvements, or either of them, shall have the same power, rights and duties as the person or persons they represent: *Provided*, That nothing in this act shall prevent any owner of land from using said stream for driving logs or any other purpose on his own land, he not obstructing the navigation of the stream for logs, and if he builds any dam across said stream, making a sluice over it for the passage of logs.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty-three.

No. 117.

An Act

Relative to Ten Mile creek, in Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any act of assembly, now in force, declaring Ten Mile creek a public highway, be and the same is hereby repealed, so far as relates to said creek, from its head waters to the borough of Waynesburg, in the county of Greene.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 118.

An Act

To extend the time for paying the enrolment tax of the Philadelphia and New Jersey Ferry Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time, required by law, for paying the enrolment tax on the act of assembly, entitled "An Act to incorporate the Philadelphia and New Jersey Ferry Company," approved the eleventh April, one thousand eight hundred and sixty-two, be and the same is hereby extended for two years, from the passage of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 119.

An Act

To authorize Sarah Owen, wife of William Owen, an habitual drunkard, to join William H. Hubbert, committee of said William Owen, to borrow money on mortgage.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Sarah Owen, wife of William Owen, duly found an habitual drunkard, is hereby authorized and empowered to join William H. Hubbert, committee of the said William Owen, in borrowing on mortgage, the sum of three thousand five hundred dollars, and to mortgage or convey, as security for the payment of the same, the following described property, vested in her name, to wit: all that certain lot or piece of ground, with the buildings thereon erected, situate on the south-west corner of Delaware Second street continued, and Columbia street, in the Nineteenth ward of the city of Philadelphia, containing in front or breadth, on the said Second street, thirty-four feet and six inches, and extending in length or depth westward, on the north line thereof, along the south side of the said Columbia street, and on the south line thereof, at right angles with the said Second street, one hundred and twenty-one feet and nine inches, to the east side of a certain thirty feet wide street, called Philip street, bounded northward by the said Columbia street, southward by ground late of Andrew Manderson, junior, eastward by the said Second street, and westward by the said Philip street, with the same effect as though she, the said Sarah Owen, were a *feme sole*, or, as if her said husband were of competent mind, and had joined her in making said mortgage, on a separate examination of herself, and the mortgagee shall hold a title and security clear of all trusts.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 120.

An Act

To authorize the Reading Gas Company to increase its capital stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of directors of the Reading Gas Company be empowered and authorized to increase the capital stock of said company, an amount not exceeding fifty thousand dollars, without any other change in its chartered rights and privileges: *Provided,* That said increase of stock, or any part thereof, shall only be made after the consent of a majority of the stockholders shall have been had, at a meeting held for that purpose, after three weeks' public notice given, in at least two weekly newspapers, published in the city of Reading.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 121.

An Act

For the protection of squirrels in the counties of Dauphin and Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person to shoot, kill, or otherwise destroy, in the counties of Dauphin and Lebanon, any grey, black or fox squirrel, from the first day of December until the first day of June, in any year hereafter, under a penalty of five dollars, for each and every offence, to be recovered agreeably to the sixth section of the act of assembly, approved the twenty-first day of April, one thousand eight hundred and fifty-eight, for the protection of game in this commonwealth;

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all acts inconsistent with the provisions of this act, be and the same are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 122.

An Act

To fix the place holding the general and township elections in the township of Lake, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on and after the passage of this act, the general, special and township elections, for the township of Lake, in the county of Luzerne, shall be held in the school house No. two, in said township.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 123.

An Act

To repeal an act changing the name of Jones township, Elk county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to change the name of Jones township, in Elk county," be and the same is hereby repealed; and all official acts of said township, under the name of Jones, are hereby made as valid as if the said name had not been changed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 124.

A Supplement

To an act incorporating the borough of White Haven, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of White Haven, in the county of Luzerne, are authorized to vacate all that part of Susquehanna street, in said borough, extending from the Lehigh and Susquehanna railroad to the east line of the hotel, now in possession of Aaron Whitaker; and in the event of the latter being purchased by the Lehigh Coal and Navigation Company, that portion of said street, in front of said hotel property, and also all the streets, alleys and other public grounds, belonging to said borough, east of Basin street, and between the said Lehigh and Susquehanna railroad and said street, so as to leave Railroad street, in said borough, fifty feet wide, and no more.

Council authorized to vacate certain streets and alleys.

Declaration of
vacation, effect
of.

SECTION 2. That the said town council, of said borough, may declare said streets, and parts of streets, alleys and other public grounds, or property, designated and specified, as aforesaid, vacant; and upon the said town council, or a majority thereof, declaring the same vacant, and entering such declaration in the records of their proceedings, the same shall be deemed and held vacated, and no longer open to public use or occupancy, and be regarded as if the same had never been dedicated to public use.

Lehigh coal and
navigation com-
pany may occu-
py same.

SECTION 3. That the said, the Lehigh Coal and Navigation Company, may occupy said streets, alleys and public grounds, designated and specified as aforesaid, for the erection of machine and car shops, foundry and such other buildings as said company may see proper and expedient to erect thereon; and to occupy and use the said streets, alleys and public ground for such uses and purposes as the said company may desire for the convenience of their business operations.

Certain addi-
tional streets
and alleys may
be opened.

SECTION 4. That any streets or alleys, or parts of streets and alleys, that may be agreed upon between the said company and the said town council to be laid out and used, through any of the lands of the said company, in writing, signed by the president of the said town council, and executed by said company, shall be held to be additional streets and alleys, in said borough, as fully, and to the same effect, as if the same had been opened in due course of law.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 125.

An Act

Relative to appropriations out of county funds, to agricultural societies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fourth section of the act of twenty-ninth March, one thousand eight hundred and fifty-one, entitled "An Act to incorporate the Pennsylvania State Agricultural Society," which provides for the payment of a sum not exceeding one

hundred dollars, out of the county funds, to any agricultural or horticultural society, organized in any of the counties of the commonwealth, be and the same is hereby repealed, as to the county of Fayette.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 126.

An Act

Relative to the American Mechanics' Hall Association of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the property situated at the north-east corner of Fourth and George streets, in the city of Philadelphia, belonging to the order of the United American Mechanics, known and organized as the American Mechanics' Hall Association of the city of Philadelphia, be and is hereby exempted from taxation: *Provided,* That nothing herein contained shall exempt said property from taxation for state purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 127.

A Supplement

To the act incorporating the Doylestown and Willow Grove Turnpike Road Company, passed February fourteenth, one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Annual meeting of stockholders. That from and after the passage of this supplement to the act incorporating the Doylestown and Willow Grove Turnpike Road Company, passed February fourteenth, one thousand eight hundred and thirty-eight, the annual meeting of the stockholders shall be held on the last Monday in November, in each and every year, at such place as may be ordered and directed by the president and managers.

Certain provisions extended to. **SECTION 2.** That the provisions of a further supplement to the Hilltown Turnpike Road Company, in Bucks county, approved April fifth, one thousand eight hundred and sixty-two, be and the same are hereby extended to the act incorporating the Doylestown and Willow Grove Turnpike Road Company; and any provisions of the said Doylestown and Willow Grove Turnpike Road Company, or the several supplements thereto, interfering with the said supplementary act, to the said Hilltown Turnpike Road, in Bucks county, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 128.

An Act

To incorporate the Richlandtown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That John B. Missimer, John Matts, Francis Hartman, Commissioners.
 Charles Fellman, Keller Himmelwright, Elias Freed, Edwin
 F. Sheetz, Tobias Landis, William B. Myers, Henry F.
 Johnson, Charles Johnson, Wm. P. Smith, Charles Wolf, Jacob
 Missimer, William Fretz, William Amey, George L. Baringer,
 Daniel Kephart, Andrew Hoffard, John Bleam, Aaron B. Walp,
 Ephraim Heller, and Felix Walp, of Bucks county, or any five
 of them, are hereby appointed commissioners, to open books,
 receive subscriptions to stock, and organize a company, by the
 name, style and title of the Richlandtown Turnpike Road Style.
 Company, with power to construct a turnpike road, com-
 mencing at Hartman's tavern, on the Doylestown road, and Route.
 extending, by the way of the village of Richlandtown, to the
 intersection of the Durham road, leading from Richlandtown
 to Durham, on lands of Sarah Bush, and the Flatland church,
 in Richland township, and that along, or near the bed of the
 present Doylestown and Hellertown road, connecting said
 points, with full power and authority to change the same,
 subject to all the provisions and restrictions of an act regu- Subject to.
 lating turnpike road companies, passed the twenty-sixth day
 of January, one thousand eight hundred and forty-nine, and
 the several supplements thereto, excepting as the same is
 herein otherwise provided.

SECTION 2. That the said company is hereby authorized to Tolls.
 charge, collect and receive the same amount and description
 of tolls, on their said road, as are allowed, by law, to be
 charged by the act incorporating the Springhouse, Northamp-
 ton and Bethlehem Turnpike Road Company, and the several
 supplements thereto; and when the said company shall have
 completed the whole of their said road, the same proceedings
 shall be had thereon, as if they had constructed five miles of
 road; and they shall have power to collect and receive tolls on
 the same.

SECTION 3. That the capital stock of said company shall Capital stock.
 consist of two hundred shares, of twenty-five dollars each;
 and if they shall not commence the construction of their said Commencement
 road within three years of the passage of this act, and completion
 complete the same within five years thereafter, this act shall be
 null and void, except so far as may be necessary to wind up
 the affairs, and pay the debts of the company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thou-
 sand eight hundred and sixty-three.

A. G. CURTIN.

No. 129.

An Act

To extend the time for the payment of the enrolment tax on the charter of Green Lawn Cemetery Company, approved March twenty-fifth, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the time for the payment of the enrolment tax on the charter of the Green Lawn Cemetery Company, approved March twenty-fifth, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby extended for six months from the passage of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 130.**An Act**

To extend the provisions of an act, entitled "An Act to authorize the school directors of Chester and Delaware counties to select sites for school houses," passed May eighth, Anno Domini one thousand eight hundred and fifty-four, to the county of Susquehanna.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to authorize the school directors of Chester and Delaware counties to select sites for school houses," passed May eighth, Anno Domini one

thousand eight hundred and fifty-four, be and they are hereby extended to the county of Susquehanna.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN

No. 131.

An Act

To incorporate the North-Western Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James T. Leonard, J. W. Potter, John Briel and John Gilliland, of the county of Clearfield, and O. D. Satterlee, of the county of Clinton, and such other persons as shall associate with them, for the purposes hereinafter named, be and they are hereby created into a body politic and corporate, by the name, style and title of the North-Western Navigation Company, with a capital of five thousand dollars, to be divided into shares of fifty dollars each; and the said corporation shall be capable in law to sue and be sued, plead and be impleaded; shall have a common seal, and shall have power to make and enforce such by-laws, rules and regulations, as may be necessary and expedient: *Provided,* That the same do not conflict with any law of this commonwealth, or of the United States.

Title.
Capital.

Seal.
By-laws.
Proviso.

SECTION 2. That the said corporation shall use and employ so much of their capital stock, as they may find necessary, in improving the navigation of the Little Moshannon creek, otherwise called Mosquito creek, in the county of Clearfield, from its mouth to the forks thereof, about ten miles up, by removing, from the channel, rocks, roots, trees and other obstructions, by straightening and deepening the stream, from time to time, as occasion may require, and by such other necessary means as will fit it for the safe and rapid passage of logs, boats and lumber; and the said company shall have the power to enter upon lands adjoining said stream, and take therefrom wood, gravel and other material, necessary for the improvement aforesaid; and the damages to be paid for such material shall be assessed, collected and paid, under the provisions of the ninth section of the act of twenty-sixth of January, one thou-

Powers and privileges.

Damages.

sand eight hundred and forty-nine, entitled "An Act for the regulation of turnpike roads," together with its several supplements.

**May receive
tolls.**

**Payment of,
relative to.**

**Statements to
be furnished.**

**Recovery of
tolls.**

**Annual meet-
ing.**

**When tolls to
be paid to treas-
urer.**

**Required to
keep stream in
good order.**

**Damages to
bridges or roads**

**Penalty for ob-
structions.**

SECTION 3. That the said company shall have the right to demand and receive from any and every person using that portion of said stream, improved by the said company, for the purpose of running, or floating, logs or lumber upon its waters, the sum of twenty cents per thousand feet, board measure, for all said logs and lumber, put in the said stream; and the company may, at their option, demand, in advance, the payment of said toll, or security for the same; and in all cases, in which they do so, the persons from whom such demand is made, shall be considered and treated as trespassers, if they use, or attempt to use, said stream, without first paying, or securing, to the satisfaction of the company, the toll so demanded; and the said company may require, from all persons using said stream, a statement of the amount of lumber put in the stream, to be floated; and the said persons are required to furnish such statement, within ten days after its demand, and upon failure so to do, or for a wilfully false statement so furnished, the said company shall be entitled to recover treble the amount of tolls authorized by this act, for the actual amount of lumber so floated; and the said company shall have power to sue for, and recover, all tolls authorized by this act, and all penalties hereby imposed, as debts and penalties of like amount are now by law recoverable.

SECTION 4. That the annual meeting of said company, for the purpose of electing officers, shall be on the first Monday of July, in each year; that all tolls, for the use of the navigation of said stream, shall be payable, if no demand for the same, in advance, be made, to the treasurer of the company, at his office, in the township of Covington, in the county of Clearfield, within ten days after the logs or lumber shall have been started in the said stream, and on failure to make such payment, the party in default shall forfeit and pay double the usual rates of toll.

SECTION 5. That the said company shall be required to keep in good order and repair the said stream, within the limits herein before-mentioned, and if any bridge or road, crossing the same, shall be in any manner injured, or receive damage, by reason of the improvement of said stream, the said company shall forthwith repair the same; and any person or persons wilfully obstructing said stream, after the same shall have been cleared or improved, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined and imprisoned, at the discretion of the court.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 132.

An Act

Supplementary to an act, entitled "An Act to incorporate the Philadelphia and Baltimore Central Railroad Company," approved March seven-
teenth, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
That the limitation contained in section five, of the act to Time for com-
which this is a supplement, requiring the road to be com- pletion of road
pleted within ten years from the passage of the said act, be extended.
extended so as to allow the said company, from and after the
passage of this act, five years for the completion of their said
road, according to the true intent and meaning of the act, to
which this is a supplement.

SECTION 2. That the Philadelphia and Baltimore Central Railroad Company be and they are hereby authorized to issue Authorized to
preferred stock, not exceeding three hundred and fifty thou- issue preferred
sand dollars in amount; which stock shall be entitled to a stock.
dividend of six per cent., out of the earnings of said road, be-
fore any dividend is paid on the other stock issued by said
company: *Provided,* That the original stockholders, or a ma- *Provided.*
jority of them, shall accept of the provisions of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno
Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 133.

A Further Supplement

To an act to incorporate the M'Kean County Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
That the capital stock of the M'Kean Railroad and Navigation Capital stock.
Company shall consist of five thousand shares, of one hundred

dollars each, with power to increase the same, as heretofore provided.

Election of officers, when to be held.

SECTION 2. That the annual election, for president and directors of said company, shall be held on the nineteenth day of March, of each year, commencing with the year one thousand eight hundred and sixty-three; at which first election, all persons, who are then stockholders, shall be entitled to vote.

Qualifications of directors.

SECTION 3. That so much of the third section of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, as requires a majority of the directors to be resident citizens of this commonwealth, is repealed, so far as the same relates to this company; and the board of directors may meet for the transaction of business, at such place within this commonwealth, or elsewhere, as they may deem expedient.

Meetings.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 134.

An Act

Extending to the Pittsburg, Allegheny and Manchester Passenger Railway Company, the privilege granted to the Citizens' Passenger Railway Company of the city of Pittsburg, by an act approved the fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the privileges extended to the Citizens' Passenger Railway Company of the city of Pittsburg, by an act approved the fifth day of April, Anno Domini one thousand eight hundred and sixty-two, be and they are hereby extended to the Pittsburg, Allegheny and Manchester Passenger Railway Company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 136.

An Act**To incorporate the Marshall Silver Mining Company of Washoe.**

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

That Clement B. Barclay, Loomis G. Marshall, A. Cochran, **Corporators.**

John Halderman, Emanuel Metzgar, Joseph Woodworth and R. D. Barclay, and their associates, be and they are hereby

created a body politic, by the name, style and title of the **Title.**

Marshall Silver Mining Company of Washoe, and by such name and title shall have perpetual succession, and shall be

capable of suing and being sued, impleading and being impleaded, and of granting and of receiving, in its corporate **Privileges.**

name, property, real, personal and mixed, and of holding and improving lands in Nevada territory, and to obtain therefrom

any and all minerals, and other valuable substances, whether by working, or mining, or leasing, or disposing of privileges

to work or mine such land, or any part thereof, and to erect houses and such other buildings and works as may, in the

opinion of the managers of the corporation, appertain to said business, and to use, let, lease or work the same, and to dis-

pose of the products of all such lands, mines and works as they may deem proper.

SECTION 2. That the said company shall have power to make such by-laws, as they may deem proper to enable them to

carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: *Provided,* That

such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act, and to adopt a

common seal, and the same to alter at pleasure, and to issue certificates of stock, representing the value of their property,

in such form, and subject to such regulations, as they may, from time to time, by their by-laws, prescribe; and to regulate and

prescribe in what manner and form their contracts and obligations shall be executed.

SECTION 3. That the corporators named in this act shall elect persons to serve as directors of the company, a majority

of whom shall constitute a quorum, for the transaction of business, and shall hold their offices until their successors shall

have been elected in accordance with the by-laws.

SECTION 4. That it shall be lawful for said company to establish the necessary offices for the business of the company,

wherever their business is located, and to have their principal, in the United States, in such place as they may deem ex-

pedient, at which place it shall be lawful to hold all meetings for the transaction of the business of the company.

Limitation.

SECTION 5. That the provisions of this act shall continue in force for twenty years, and no longer.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 136.

An Act

Relative to the Philadelphia and North Branch Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the time for opening books of subscription, and for completing the Philadelphia and North Branch railroad, is hereby extended for the further period of five years, from the passage of this act; said act and supplement, being renewed and revived in full force, except the proviso to the fifth section of the supplement, and where the same is not supplied by this act; and said books of subscription may be opened at such times, places, and on such conditions, as may be directed by a majority of the commissioners: *Provided*, That nothing in this act shall be so construed as to permit the building of a railroad down the river Lehigh, below White Haven: *And provided further*, That said railroad shall not be constructed within twelve feet of the canal or railroad of the Lehigh Coal and Navigation Company, except for crossings over and under said railroad, and for connections, as per act authorizing the construction of a railroad to connect the North Branch division of the Pennsylvania canal, at the borough of Wilkesbarre, approved March thirteenth, eighteen hundred and thirty-seven.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 137.

An Act

Supplementary to an act, entitled "An Act concerning the sale of railroads, canals, turnpikes, bridges and plank roads," approved the eighth of April, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That all and every the provisions of the act aforesaid shall be and the same are hereby extended to, and shall apply to, and embrace, a sale to John Loutey, by John Welsh and William L. Schaffer, trustees under power to sell, given to them in a certain mortgage, dated the twenty-eighth day of July, Anno Domini one thousand eight hundred and fifty-nine, and recorded at Philadelphia, in mortgage book A·D·B, number thirty-five, page five hundred and fifty-one, et cetera, as though made under process, or decree of court; and it shall not be deemed necessary for the said purchaser to give any further notice, but he shall, within thirty days after the passage of this act, organize the new corporation, under the name, style and title of the Central Passenger Railway Company of the city of Philadelphia, as fully and effectually as though a formal meeting had been called, after full public notice had been given, as mentioned in the said act to which this is a supplement; and he shall select a president and board of directors, for the time mentioned in said act, and do and perform all and singular the matters and things in the said act specified, with like effect as though the sale and conveyance had been made to two or more persons.

Provisions of general act extended to a certain sale.

Purchaser authorized to organize a new corporation under the name of Central Passenger railway company of Philadelphia.

Officers.

SECTION 2. That the said company shall, in all respects, not by acts under which it is organized, or hereby modified, be subject to the provisions of the general act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, and to so much as is now in force, and applicable, of an act incorporating the North Philadelphia Plank Road Company, approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and fifty-two; to the second section of a supplement thereto, approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-four; to the first section of a further supplement, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-eight; to the first section, except the proviso thereto, of a further supplement, passed the ninth day of April, Anno Domini one thousand eight hundred and sixty-one; and to the fifth section of an act relating to said company, approved the twentieth day of April, Anno Domini one thousand eight hundred and fifty-three; and that

Subject to certain acts.

Repeal.

all other acts, or parts of acts, relating to said company, be and the same are hereby repealed; that the word "borough," in the first section of the act aforesaid, approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and fifty-two, shall be taken and construed to mean "township;" and that nothing, in said section contained, shall prevent the said company from extending their road and railway, by the best and most practicable route, to the northern limits of said township, now Twenty-second ward, and the south-western limits of the Twenty-first ward, which they are hereby authorized, from time to time, to do; or straightening any part, or parts of their road and railway, using such streets or avenues as may be necessary for such purposes; and with the consent of the owners of any land, or subject to the provisions of the general act aforesaid, they may pass over such land, or part or parts of any artificial road, for the purposes aforesaid, as they may deem necessary: *Provided*, That any director, of said company, shall be at liberty to act in any other capacity, and receive such compensation as the by-laws may prescribe.

Extension of road, use of streets, &c., authorized.**Directors, privilege and compensation of.****Route of extension.**

SECTION 3. That the said company shall have the right, from time to time, as they deem it advantageous to the public, to extend their road or railway, by single or double track, eastwardly north of Oxford street, as well as southwardly from their present terminus to the south side of Green street, so as to cross at grade, and to connect with other passenger railways or railroads, intersecting this road or railway, when so extended; and for the purpose of such extensions, and to complete their circuits, shall use such streets or avenues as may be necessary: *Provided*, That the said company, in laying unlaidd portions, and re-laying parts already laid, of their road or railway, shall use the best style of rail conducive to the safety of passengers, and shall lay the same in the best manner; and shall keep the paving within the lines of their railway, on the streets and avenues over which they pass, in perpetual good repair; that the said company shall have the right to connect their road or railway with, and run their cars on and over, any passenger railway, or railroad, which now crosses, or may hereafter cross, or connect, with their present or future road or railway, the consent of the owners thereof having been first had and obtained; and shall have and enjoy all the rights and privileges, in regard to their extended road or railway, which they now have, on any other portion of their said road or railway; and shall have and enjoy, all and singular, the same rights and privileges which are now, or may hereafter be extended to any other passenger railway company: *Provided also*, That said Central Passenger Railway Company of the city of Philadelphia shall not have the right to use any portion of any railroad, turnpike, or artificial road, except for the purpose of crossing the same, without first obtaining the consent of the company, or parties owning the same; nor shall the said railroad company have the right to use any other street than Wayne street, running parallel therewith, between Mauheim and Johnson streets, in the late borough of Germantown, in the Twenty-second ward, nor construct any branch road over School lane, Rittenhouse, or Tulpehocken streets, in

Proviso.**Certain connections authorized****Privileges.****Limitations.**

said ward; nor shall they be permitted to locate their road upon any portion of Ninth or Twelfth streets, in the city of Philadelphia: *And provided further*, That in case the said Prohibition. company shall combine a turnpike, paved or plank road, with their said railroad, they shall not be authorized to erect, or maintain, any toll-gate between Manheim and Johnson streets, in the late borough of Germantown; nor collect any toll from persons who only pass over that portion of their road located between said streets.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 138.

A Further Supplement

To an act making Front street and Peach Tree alley public highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the judges of the court of quarter sessions, of the county of Dauphin, are hereby authorized to appoint three disinterested persons to appraise the damages to the property of Dr. John Whitman, and the school house property, in the town of Halifax, known as the North ward school, occasioned by the opening of the said road, provided for in the supplement to an act making Front street and Peach Tree alley, in the village of Halifax, public highways, opened March twenty-first, Anno Domini one thousand eight hundred and sixty-two; said damages, when ascertained, to be paid as other road damages, in said county, are paid.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 139.

A Further Supplement

To an act, entitled "An Act to incorporate the Pennsylvania Railroad Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the annual meetings of the stockholders of the said Pennsylvania Railroad Company shall be held on the third Tuesday of February, in every year, instead of on the first Monday in February, as heretofore.

Time of holding annual meet-ings changed.

Election of an additional di-rector autho-rized.

SECTION 2. That the directors of the Pennsylvania Railroad Company be and they are hereby authorized to add to their number, by electing from the body of the stockholders, at such time as they may determine, and annually thereafter, if they deem it expedient, an additional member, who shall act as an additional vice president, or managing director, with such powers, and with such compensation, as the said board, by law or resolution, establish and direct.

May create bonds for con-struction of branch roads.

SECTION 3. That the directors of the Pennsylvania Railroad Company be and they are hereby authorized to create bonds, payable at such time as they may determine upon, with coupons attached, bearing interest, not exceeding six per centum per annum, to an amount sufficient to meet the necessary outlay upon any branch road to be hereafter constructed, under the provisions of the charter of the Pennsylvania Railroad Company, its supplements or laws, affecting said company; the bonds so created shall be secured by a mortgage upon the said branch road: *Provided however,* That this section shall not be so construed as to legalize, either directly or indirectly, the act approved the seventh day of March, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act for the commutation of tonnage duties."

Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 140.

An Act

To refund to the county of Cambria certain moneys improperly paid into the State Treasury.

WHEREAS, The treasurer of the county of Cambria, in the years one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty, one thousand eight hundred and sixty-one and one thousand eight hundred and sixty two, paid certain moneys into the state treasury, which were collected from the tax-payers of said county of Cambria, under the act of assembly of the twenty-first day of April, one thousand eight hundred and fifty-eight, entitled "An Act for the regulation of the militia of this commonwealth :"

Preamble.

And whereas, Military orders, to a large amount, issued by the military board created by said act, are yet outstanding, and remain unpaid, in consequence of the illegal payment, into the state treasury, of the military funds collected in said county of Cambria ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the state treasurer is hereby authorized and required to refund to the treasurer of Cambria county, all moneys on account of the militia tax paid into the state treasury, by the treasurer of Cambria county, in the years one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty, one thousand eight hundred and sixty-one and one thousand eight hundred and sixty-two, respectively.

State Treasurer authorized to refund certain militia tax.

SECTION 2. That it shall be the duty of the treasurer of the county of Cambria to apply the moneys refunded under this act, to the payment of the military orders, issued under the provisions of the act of assembly, passed the twenty-first day of April, one thousand eight hundred and fifty-eight, entitled "An Act for the regulation of the militia of this commonwealth," which yet remain unpaid ; and after the payment of said orders, the balance (if any) shall be applied to the military relief fund of said county of Cambria.

How moneys refunded to be applied.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 141.

A Supplement

To an act to incorporate the city of Carbondale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, any person, a citizen of this commonwealth, residing within the jurisdiction of the mayor's court of the city of Carbondale, will be eligible to hold the office of clerk of the mayor's court of said city; anything in the original charter of Carbondale city, or any of its supplements, in conflict with this act, is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 142.

A Further Supplement

To the charter of the borough of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the electors of the borough of York shall elect annually, at the time prescribed by law for the election of chief burgess, one high constable for said borough, to serve for the term of one year; and all acts, or parts of acts, inconsistent herewith, are hereby repealed.

SECTION 2. That in the choice of borough officers in the borough of York, the qualifications of electors shall be the same as those prescribed for voters in the election of members of

Election of high constable.

Qualifications of voters for borough officers.

the legislature; and all acts, or parts of acts, inconsistent herewith, are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 143.

An Act

Authorizing the election of additional supervisors in Elizabeth township, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the qualified electors of Elizabeth township, in the county of Allegheny, shall, at the time, and in the manner provided by law, elect six supervisors of roads, in said township, instead of three, as now authorized by law, who shall have the same powers, and be subject to the same duties and responsibilities required by existing laws.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

• No. 144.

A Further Supplement

To an act to incorporate the Marietta and Mount Joy Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Marietta and Mount Joy Turnpike Road Company have authority to levy and collect, on their road, the same rates of tolls, in proportion to the distance traveled, as have the Marietta and Maytown Turnpike Road Company, on their road.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 145.

A Supplement

To the act, entitled "An Act to incorporate the White Hall Mutual Fire Insurance Association of parts of Bucks and Montgomery counties."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to incorporate the White Hall Mutual Fire Insurance Association of parts of Bucks and Montgomery counties," passed the fourteenth day of April, eighteen hundred and forty-three, and all the supplements thereto, be extended and continued for another period of forty years; and that the said White Hall Mutual Fire Insurance Association of parts of Bucks and Montgomery counties, with all its rights, duties, privileges, powers and franchises, under the provisions of said act of assembly, and its several supplements, shall be extended and continued for a term of forty

years, from the fourteenth day of April, eighteen hundred and sixty-three.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 146.

A Further Supplement

To an act to incorporate the Lancaster, Lebanon and Pine Grove Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time specified for commencing the Lancaster, Lebanon and Pine Grove railroad, incorporated by the act of assembly, approved the twenty-eighth day of March, one thousand eight hundred and forty-six, and the supplement to the said act, approved the sixth day of May, one thousand eight hundred and fifty-two, be and the same is hereby extended for the term of five years from the passage of this act, and the time for completing the road be and is hereby extended for the term of ten years; and the said act of March twenty-sixth, one thousand eight hundred and forty-six, and its supplements, are hereby revived.

Time for commencing and completing road extended.

SECTION 2. That Christopher Hager, John Schaeffer, Jacob B. Tshudy, George M. Steinman, James L. Reynolds, J. A. Hiestand, A. Bates Grubb, Peter Martin, S. W. P. Boyd, W. M. Wiley, of Lancaster county; John George, Levi Kline, John W. Killinger, Adam Grittinger, Jefferson Shirk and Geo. D. Coleman, of Lebanon county; John E. Graeff, John Kitzmiller, David Greenawalt, Henry Heil, George N. Eckert, John Hoch and William Donaldson, of Schuylkill county, be and are hereby appointed commissioners, to do and perform the several acts and things required to be done and performed by the commissioners named in the act to which this is a supplement.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 147.

A Supplement

To the act, entitled "An Act to incorporate the Cumberland Valley Mutual Protection Company of Dickinson township, Cumberland county."

Terms upon
which insu-
rances may be
made, relative
to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in any contract of insurance, hereafter to be made by the Cumberland Valley Mutual Protection Company of Dickinson township, Cumberland county, they shall have power and authority, at the option of the party insured, to accept any sum of money agreed upon, for such term of time so agreed upon between the said corporation and the persons agreeing with them, for said insurance; also, to stipulate for the payment of any annual sum, either in advance, or otherwise, in anticipation of losses, upon the agreement with such party that he, she, or they, shall not be subject to any assessment upon his, her, or their premium note or notes, during the period for which payment has been thus made, or agreed to be made.

Annual pay-
ments.

SECTION 2. That when the party insured stipulates to pay, annually, any sum of money, in anticipation of losses, he, she, or they, shall be made liable to pay the same, to the treasurer of said company, or their authorized agent; and in default thereof, for such length of time as shall be provided for by the by-laws of said company, the said policy shall become null and void.

May borrow
money.

SECTION 3. That the said company shall have power and authority, from time to time, and at any time, when the operations of their business shall require it, to borrow any sum of money not exceeding thirty thousand dollars.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 148.

An Act

To empower the trustees of the Fourth Presbyterian church of the city of Philadelphia to sell certain real estate.

WHEREAS, By an act of assembly of the commonwealth of Pennsylvania, passed the fifteenth day of March, Anno Domini one thousand eight hundred, all the right, title and interest of the commonwealth of Pennsylvania, in a certain city lot, situate in the city of Philadelphia, bounded east by Twelfth street, north by Lombard street, west by Thirteenth street, and south by land now, or late, of Amos Wickersham and Richard Price, containing, east and west, three hundred and ninety-six feet, and in length or depth, north and south, seventy-eight feet, was thereby vested in the trustees of the Fourth Presbyterian congregation, in the city of Philadelphia, and their successors, for ever, for the sole purpose of building a church thereon, and for the interment of their dead therein, and for no other use, intent, or purpose whatsoever :

And whereas, The said trustees of the Fourth Presbyterian congregation, in the city of Philadelphia, have erected, on the said lot, a house for public worship, and have created, thereby, a debt of seven thousand six hundred dollars, in the erection of said building ; for which they executed two certain mortgages, one for four thousand dollars, and the other for three thousand six hundred dollars ; and have also contracted other debts, which they are unable to liquidate, in consequence of the annual receipts of said congregation being inadequate to defray the current expenses of said congregation, and the payment of the interest on the said mortgages :

And whereas, In the western part of said lot there are but few interments, and they can be removed to the other portion of the ground, and by disposing of about eighty-five feet thereof, the said congregation would be relieved of a portion of the debt, and the intention of the grantors would thereby be more efficiently carried out ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Getty, Robert Arthur, Thomas Anderson, Robert Thompson, John Barr, Robert John Rule, and William F. Anderson, trustees of the Fourth Presbyterian congregation, in the city of Philadelphia, and their successors, be and they are hereby authorized, under the corporate seal of the said congregation, from time to time, to sell and convey, in fee simple, upon payment of a certain sum or sums of money, or reserving a perpetual rent charge, subject to extinguishment upon payment of a certain sum of money, any part, or the whole, of eighty-five feet of the westernmost part of the lot

of ground attached to the said Fourth Presbyterian church, situate on the south side of Lombard street, between Twelfth and Thirteenth streets, in the city of Philadelphia, commencing eastward, from the east side of Thirteenth street, and extending eastward along the south side of Lombard street, eighty-five feet, and extending, in length or depth, southward of that width, seventy-eight feet; bounded westward by Thirteenth street, northward by Lombard street, eastward by the burial ground of the said Fourth Presbyterian congregation, and southward by ground now, or late, of Amos Wickersham and Richard Price, with the appurtenances, and to convey to the purchaser, or purchasers, a good and valid title; and the said trustees of the Fourth Presbyterian congregation, in the city of Philadelphia, and their successors, shall have power, by and with the consent of a majority of the said Fourth Presbyterian congregation, in case of the said trustees disposing of said above described ground on an annual rent charge, to convey the said rent or rents, in fee simple, and to receive the payment according to such conveyance, and release and extinguish the said rent, or rents; and no purchaser, or purchasers, of either the lands, or of the rent, or rents, shall be bound to see to the application of the said money, whether in purchase or in extinguishment, as aforesaid: *Provided*, That the proceeds of such sale shall be applied to the liquidation of the said mortgage debt of the said church, and for no other purpose whatsoever, until the said debt be paid: *Provided*, That the said trustees shall not sell or dispose of the above described ground, or any part thereof, for a less sum than five dollars per foot on annual ground rent, fronting on Lombard street aforesaid, and of the said depth southward seventy-eight feet.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 149.

An Act

To incorporate the Youghiogheny Coal Hollow Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Thomas Moore, Joshua Rhodes, James D. Verner, William Philips, David Parke, M. Schwartzwelder, William Bagely, and Henry Shirle, and their associates, successors and assigns, be and they are hereby erected into a body politic and corporate, in deed and in law, by the name, style and title of the Youghiogheny Coal Hollow Coal Company, with all the powers and privileges, rights and franchises; incident to a corporation, and in law pertaining to a body politic and corporate, and that as such they may have a common seal, with power to break, alter, and renew the same, at pleasure; to be able to sue and be sued, to plead and be impleaded, with power to take and hold land, in fee simple, or by lease, in the county of Westmoreland, not exceeding, at any one time, fifteen hundred acres, with power to sell, mortgage, lease, or otherwise dispose of the same, or any part thereof.

Corporators.

Title.

Seal.

Authorized to hold lands in Westmoreland county.

SECTION 2. That the said company shall have the right to mine, and prepare for market, coal, iron ore, fire clay, and other materials of their lands; to manufacture iron, fire brick, mineral oil, and other products of their minerals, or lands, and to transport them to market, and sell and dispose of the same; and to make all such improvements, machinery and fixtures, and erections, on said lands, as they may deem necessary for their business and interests.

Privileges.

SECTION 3. That the said company shall have the right to lay out, and construct a railroad, or railroads, from any portion of their land, and to connect the same with the railroad, or slackwater navigation, of any other company, incorporated by the laws of this state, at any point they may select for such connection: *Provided*, That the length of said railroad, so to be made by them, shall not exceed five miles, and that in the construction of the same, the said company shall have all the powers and privileges, and to be subject to all the limitations and restrictions, of an act, entitled "An Act regulating lateral railroads," approved the fifth day of May, one thousand eight hundred and thirty-two, except so far as relates to the length of the road.

May construct railroad.

Proviso.

SECTION 4. That the capital stock of said company shall consist of two thousand shares, of fifty dollars each, with the power to increase the same, from time to time, in such manner as may be provided by the by-laws of said company, to an amount not exceeding four thousand shares; which said shares of stock shall be personal estate, and transferable, as may be provided by the by-laws of said company; and the above named corporators, or such of them as may act, are hereby authorized to receive subscriptions to said stock, in such manner as they may determine; and shall receive letters patent, as provided in the second section of an act regulating railroads, approved nineteenth February, Anno Domini one thousand eight hundred and forty-nine.

Capital stock.

Subscriptions.
Letters patent.

SECTION 5. That the affairs of said company shall be conducted by a board of managers, to consist of at least three, and not more than five, stockholders, who shall elect one of their number president, and appoint such other officers as the interest and business of the company may require, and fix their compensation.

Board of managers and officers.

By-laws.

SECTION 6. That the said company shall have power to make and establish all such ordinances, rules and regulations, and by-laws, as they may deem necessary for managing and conducting their business, and interests, providing for the elections and meetings of the company, and of the board of managers, defining the duties of the president, and other officers, with the right, at any time, to repeal, alter, and amend the same: *Provided*, That the same shall not conflict with the constitution and laws of this commonwealth.

May borrow money and issue bonds.

SECTION 7. That said company are hereby authorized to borrow any sum of money, not exceeding one-half of the amount of stock subscribed, to enable them to carry out the purposes of their organization, and to issue bonds for the payment of the same, on such terms, and at such rates of interest, as they may deem best, and shall have power to mortgage their property, real and personal, to secure the payment of the same: *Provided*, That they shall issue no bond, or mortgage, for a less amount than one hundred dollars.

Proviso.**Individual liability.**

SECTION 8. That the stockholders of said company shall be jointly and severally liable, in their individual capacities and estates, for all debts contracted for work and labor done, and materials furnished for said company, to be sued for and collected as is provided by the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of May, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That said stockholders shall not be individually liable for any bonded or mortgage debt, of said company, nor shall any *scire facias*, as provided in the thirteenth section of said recited act, be issued after one year, from the time any debt becomes due, or other liability is incurred.

Proviso.**Bonus and taxes upon dividends.**

SECTION 9. That the said company shall pay to the commonwealth of Pennsylvania, a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments; the first payment to be made in one year from the date hereof; and the said corporation shall also pay such taxes upon dividends, as are, or may be, provided by law.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 150.

A Further Supplement

To the act incorporating the city of Philadelphia, relative to certain offices.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any member of either branch of the legislature to hold or exercise the office of councilman in the said city, after the first of January next.

Members of the Legislature disqualified for serving in councils

SECTION 2. No member of council of said city shall be eligible to any office, employment or agency, directly, or indirectly, chosen by councils, or either branch of them, during the term for which he shall have been elected to councils.

Councilmen not eligible to any appointment by councils.

SECTION 3. Whenever, by the requirements of any law, a particular residence is a necessary qualification for the election or appointment of any officer, a removal from such residence shall operate as a forfeiture of the office.

Certain offices forfeited by change of residence.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 151.

Supplement

To the act incorporating the Grandam Institution, approved April twenty-third, eighteen hundred and forty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the Grandam Institution be and is hereby authorized at any time, and from time to time, in the discretion of its board of managers, to appropriate and use for the "charity fund," or the alleviation of the poor, any of the unemployed or accu-

LAWS OF PENNSYLVANIA,

mulated income, from the investments belonging to "the loan fund" of the said institution.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 152.

An Act

To change the time of holding the township elections and making the township settlements in the county of Clearfield.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the time for holding the elections for township officers in the several districts, in Clearfield county, shall be and the same is hereby fixed upon the last Friday in December, in each year; and the time for making the settlements with the township officers, in said county, shall be and the same is hereby fixed upon the last Monday in January, in each year; and all laws inconsistent herewith are hereby repealed: *Provided*, That this act shall not interfere with the election and settlement for this year, but they shall be held as though this act had not been passed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 153.

An Act

Relative to tax collectors in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Butler county be and are hereby authorized to exonerate the several tax collectors of said county, for uncollectable tax, as fully and with the same effect as though the same had been done within the time now specified by existing law: *Provided however,* That the same be presented to the commissioners within sixty days after the passage of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 154.

An Act

To incorporate the Sumneytown and Gerysville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William F. Reed, Hiram Hartrauft, Daniel Jacoby, William D. Reedy, Edwin M. Benner, Dr. George A. Blank, John Kepp, Henry Jacoby, Alexander Rhoads, Charles Welker, George Schwartz, William Christman, George Rhoads, Jonathan Gerhart, Jesse Rodenberger, Jacob Hersh, Israel Kline and Samuel Troxel, of Montgomery county; and Jesse Gery and Lafayette Kline, of Bucks county, or any seven of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Sumneytown and Gerysville Turnpike Road Company, with full power and authority to construct a

Commissioners...

Name.

Route.	turnpike road, from a point in the Springhouse and Sumneytown turnpike, in the village of Sumneytown, in Montgomery county, opposite the store of Jacoby and Hartrauft, upon and over the bed of a road commonly called the Millerstown road, or upon and over so much thereof as may be necessary, to
Subject to.	Gerysville, in Bucks county; said company to be subject to all the liabilities and restrictions expressed and provided in and by an act of the general assembly of the commonwealth of Pennsylvania, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as the same are hereby altered and supplied: <i>Provided however</i> , That the
Board of managers.	board of managers of said company shall consist of a president and six managers, a majority of whom shall constitute a quorum for the transaction of business, who, together with a treasurer, shall be elected as provided by said act: <i>And provided also</i> , That each stockholder, at all elections held by said company, shall be entitled to one vote for each share of stock held by him, or her, not exceeding five, and no more.
Votes.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of four hundred shares, at twenty-five dollars each: <i>Provided</i> , That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as, in their opinion, may be necessary to complete the said road, and carry out the true intent and meaning of this act.
Provide.	
Authorized to use streets or roads and county bridges.	SECTION 3. That it shall be lawful for the said company to make use of any county bridges on the route of their road, and also to use the whole, or any part, of any public street, or road, and locate their road upon the ground occupied by any public street or road; and the court of quarter sessions of the respective counties, through which the road of said company shall pass, shall appoint viewers to view and vacate such parts of any public road as shall be rendered unnecessary by the construction of the said company's road, as is provided by the general road laws of this commonwealth, in the cases of roads which have become useless.
May borrow money.	SECTION 4. That it shall and may be lawful for the said company to borrow any sum of money, not exceeding five thousand dollars, at a rate of interest not exceeding six per centum per annum, and to issue bonds, or certificates of indebtedness, therefor, payable at such times as may be agreed upon.
Supervisors of certain townships may subscribe to stock.	SECTION 5. That it shall and may be lawful for the supervisors of the townships of Marlborough and Upper Hanover, in Montgomery county, through which said turnpike road shall pass, to take and subscribe, on behalf of their respective townships, to the capital stock of said company, an amount not exceeding one thousand dollars each, the said amount to be determined by a vote of the citizens of said townships, at elections to be held for that purpose, at such times and places as shall be designated by the respective supervisors of said townships, of which notice shall be given in the same manner as is provided for township elections, of which said elections the supervisors shall be the judges, and shall hold the same open
Amount to be determined by elections.	
When and how to be held.	

between the hours of ten o'clock A. M., and six o'clock P. M., of the said day, so fixed upon by them, respectively, and they shall make return thereof to the nearest justices of the peace, of their respective townships; and the supervisors of said townships, for the time being, shall be entitled to vote upon the stock, so held by their respective townships, as any other stockholder; and the said townships are hereby authorized and empowered to borrow money to pay the instalments on said stock, so subscribed, and to issue certificates of indebtedness therefor, bearing interest, and payable at such times as may be agreed upon, not exceeding five years. Returns to be made.
Townships authorized to borrow money.

SECTION 6. The president and managers shall, in the month of January in each and every year after the organization of said company, on a day to be named in their by-laws, proceed to examine and ascertain the income of the company, and after deducting all costs and charges incurred by the same, may, if a majority of votes are found to be in favor thereof, out of the net profits, if any there be, declare a dividend to and among the stockholders; notice of which, and of the time and place, shall be given, and the same shall be paid accordingly. Dividends may be declared.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 155.

An Act

Relating to the several courts of the county of Butler.

WHEREAS, The business, in the several courts of Butler county, has so increased, that the time of the present sessions of said courts is too short and insufficient to dispose of the same: Preamble.

And whereas, An evil exists which should be remedied, to wit: that separate *venires* are issued for each week of said courts, and in place of one panel of jurors holding over during the entire session each week, consequently has a new panel of petit jurors, thereby subjecting the county to a large and unnecessary expense; therefore,

Courts may be
continued by
judges.

Attendance of
jurors.

Proviso.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the time now fixed, by law, for the holding of the several courts in said county, the judges of said courts in said county shall have power to continue the same as long as may be necessary, according to their discretion, for the disposal of all cases depending therein.

SECTION 2. The panel of petit jurors, summoned and appearing on the first day of each term of the several courts of said county, shall be and remain in attendance as long as may be necessary for the disposal of all causes depending therein: *Provided,* That said attendance shall not be required for a longer period of time than four weeks.

SECTION 3. All usages and laws to the contrary are hereby repealed.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 156.

An Act

To authorize the Western Pennsylvania Hospital to receive a certain bequest.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the Western Pennsylvania hospital shall be and they are hereby authorized to accept and receive, from the executors of the last will and testament of Charles Brewer, late of Allegheny county, deceased, the sum of ten thousand dollars, bequeathed to said executors, in trust, to be handed over to said hospital, and hold the same; and they are hereby further authorized to do any and every thing which it may be necessary for them to do, in regard to the disposal

of said bequest, so as to carry into full force and effect the purpose and design of said testator, in making the same.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN

No. 157.

An Act

Entitled "An Act to incorporate the Mount Clare and Perkiomen Turnpike Road Company, of Upper Providence township, Montgomery county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That George W. Pomeroy, Martin Hunsicker, John Ashenfelter, David Rosenberry, Philip Shinkle, Elisha Bard, Henry Loucks, Abraham Johnson, Joshua Zimmerman, James Robinson, Jonas Miller, James Riehl, Christian B. Heebner, Henry Longenecker, and such others as may hereafter become associated with them, are hereby declared to be a body corporate, in deed and in law, by the name, style and title of the Mount Clare and Perkiomen Turnpike Road Company, and by that name shall have perpetual succession, and enjoy all the privileges of a corporation, and capable of holding their capital stock, and enlarging the same as they may think proper, and buying and holding such real estate as may be necessary, to erect toll-houses thereon, and capable of suing and being sued, and all other matters and things which a corporation may lawfully do.

Commissioners.

Name.

Privileges.

SECTION 2. That whenever one hundred shares shall be subscribed, of twenty-five dollars each share, and an instalment of five dollars on each share actually paid in, a meeting may be called by any two stockholders of said company, by a notice published in any two newspapers in said county, for the election of one person as president, one person as treasurer, and five persons as directors, who shall hold their office for one year, or until their successors shall be elected.

When officers to be elected.

SECTION 3. That the Mount Clare and Perkiomen turnpike shall commence at Mount Clare, in Upper Providence township, Montgomery county, at or near where the bridge crosses

Route.

the Schuylkill river to Phoenixville, and terminate at the Perkiomen and Reading turnpike, in said township, a short distance above the Perkiomen bridge, above Henry Longenecker's hotel.

To occupy bed
of old road.

SECTION 4. That said company shall be required to confine their turnpike road to the bed of the old road now laid out, leading from said bridge, opposite Phoenixville, to the turnpike at the point named in section three of this act, and to be authorized to grade and to fill up said road as may be necessary to bring it to the proper grade, by the act approved January twenty-sixth, one thousand eight hundred and forty-six, regulating turnpike and plank road companies.

When tolls may
be collected.

SECTION 5. That when two miles, or more, of the said Mount Clare and Perkiomen turnpike shall be finished, the said company shall have power to erect gates and collect tolls, and shall be subject to all the provisions of the act regulating turnpike and plank road companies, approved January twenty-six, one thousand eight hundred and forty-six, so far as is not inconsistent with the provisions of this act.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 158.

An Act

Legalising the election of certain officers in the borough of Freeport, Armstrong county.

WHEREAS, By an act of assembly, approved the tenth day of March, Anno Domini one thousand eight hundred and sixty-two, entitled "A supplement to an act incorporating the borough of Freeport," a change was made in the number and manner of the election of the corporate officers of said borough:

And whereas, The qualified electors of said borough did, on the last Friday of February, Anno Domini one thousand eight hundred and sixty-two, proceed to the election of officers of said borough, under the provisions of said supplement to said charter, believing that the said supplement had been signed by the governor, and become a law:

And whereas, Said supplement had not been signed by the governor, and did not become a law, until the tenth day of

March, Anno Domini one thousand eight hundred and sixty-two; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election aforesaid, held on the last Friday of February, Anno Domini one thousand eight hundred and sixty-two, is hereby declared legal and good, in law, and the officers so elected shall have all powers conferred upon them by the provisions of said supplement, as if the same had been approved by the governor before said election.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 159.

An Act

To lay out the balance of a State Road in Westmoreland county.

WHEREAS, By an act of the general assembly, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five, the supervisors of Derry township, Westmoreland county, were authorized to lay out and make a township road from the Broad Fording to Bairdstown, in said county:

And whereas, Said road has not yet been completed, in consequence of which a number of citizens labor under great inconvenience; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James M'Gough, William Donnelly and Christopher Libengood, be and they are hereby appointed commissioners to lay out said balance of road, being about one mile in length, and that the supervisors of said township be and they are hereby authorized and required to carry out the provisions of said act.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 160.

An Act

To divide the borough of Pittston, in the county of Luzerne, into three election districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Pittston, in the county of Luzerne, is hereby divided into three election districts, to be known and designated as the North ward, the Middle ward, and the South ward, bounded as follows: the North ward to include all the inhabitants residing north of Parsonage street, in said borough; the Middle ward to include all the inhabitants south of Parsonage street, to the north side of the ravine, close by the Pennsylvania Coal Company's office, following said stream, or ravine, to the borough line, in said borough; and the South ward to include all the inhabitants south of Broad street, in said borough; that all borough, general and special elections, in and for the North ward, shall be held at the brick school house, in said North ward, in said borough; and until the regular election for judges and inspectors of elections, as now fixed by law, that George Damon shall be judge, and Lawrence Donahue and James Freeland, inspectors of election in said North ward; that all elections as aforesaid, in and for the Middle ward, shall be held at the public school house, on the common, near Saint James church, in said borough; and that Benjamin D. Beyed shall be judge, and Abel C. Thompson and William O'Meally, shall be inspectors for said Middle ward, until another board of election shall be duly elected, as now provided by law; that all elections as aforesaid, in and for the South ward, shall be held at the house of John Shalk, in said borough, and that Patrick Battle shall be judge, and David Blanchard and James E. Clark shall be inspectors of election, for said South ward, until another board of election shall be duly elected, as now provided by law; that nothing contained in this act shall be construed to impair, alter, or affect, in any manner, the existing government of said borough, its laws, ordinances, by-laws and regulations, nor for the increase of officers of said borough, only as herein provided for election purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 161.

A Supplement

To an act to incorporate and endow the Pennsylvania Institution for the Deaf and Dumb, approved the eighth of February, one thousand eight hundred and twenty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the provision of one hundred and sixty dollars per annum, granted for the education of each indigent deaf mute, taught in the Pennsylvania Institution for the deaf and dumb at the expense of this commonwealth, the governor is hereby authorized and required to draw his warrant on the state treasurer in favor of the treasurer of the Pennsylvania Institution for the deaf and dumb, for the sum of one hundred and eighty dollars, for each and every indigent deaf mute taught in the said institution, at the expense of this commonwealth, one-half thereof shall be paid on the first day of March, and the other half thereof shall be paid on the first day of September, in each and every year.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 162.

An Act

Providing for a free bridge over the river Schuylkill, at Penrose Ferry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Philadelphia be and hereby is authorized and empowered to purchase all the bridge property, and the contiguous land appurtenant thereto, now owned and held by the Penrose Ferry Bridge Company, and erected by them in pursu-

ance of the provisions of an act to authorize the governor to incorporate a company to construct a bridge over the river Schuylkill, at Penrose Ferry, approved April ninth, one thousand eight hundred and fifty-four, together with the franchises of said company; and the said company is authorized and empowered to make a conveyance of all its said property, and franchises, to the said city, and upon the said conveyance being duly made and completed, the said bridge shall be thenceforth free to the use of all travel, without charge or toll therefor, and the directors of said company, or others having the authority of a majority of the stockholders, are hereby authorized to make said conveyance for a sum approved by the said stockholders, and the claims of said stockholders shall be upon the consideration money paid by the city of Philadelphia, and not otherwise; and upon execution and delivery of a deed for said premises and franchises, the title thereto shall vest in the said city of Philadelphia, her successors and assigns, as fully, completely and absolutely, as the same were held or owned by the said Penrose Ferry Bridge Company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 163.

An Act

To amend the fee bill, as to Justices of the Peace, in the counties of Erie and Crawford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this act, the fees to be received by justices of the peace, in the counties of Erie and Crawford, shall be as follows:

For information, or complaint, on behalf of the commonwealth, twenty-five cents.

Deckert entry, on behalf of the commonwealth, fifteen cents.

Warrant, *multimus*, or *capias*, on behalf of the commonwealth, twenty-five cents.

Writing an examination, or confession, of defendant, twenty-five cents.

- Hearing, in criminal case, twenty-five cents.
Administering oath, or affirmation, (in crime or civil case,) five cents.
Taking recognizance, in criminal case, twenty cents.
Transcript, in criminal case, including certificate, fifty cents.
Entering judgment, on conviction for fine, twenty-five cents.
Recording conviction, or copy thereof, twenty-five cents.
Warrants to levy fine or forfeiture, twenty-five cents.
Bail-piece and return *supersedeas*, twenty-five cents.
Discharge to jailor, twenty-five cents.
Entering discontinuance, in case of assault and battery, twenty-five cents.
Entering complaint of master, mistress, or apprentice, twenty-five cents.
Notice to master, mistress, or apprentice, twenty cents.
Hearing parties, fifty cents.
Holding inquisition, under landlord and tenant act, or in case of forcible entry, (each day, each justice,) one dollar.
Process, et cetera, to sheriff, (each justice,) fifty cents.
Recording proceedings, (each justice,) one dollar.
Writ of restitution, (each justice,) fifty cents.
Warrant to appraise damages, twenty-five cents.
Warrant to sell strays, twenty-five cents.
Warrant to appraise swine, twenty-five cents.
Receiving and entering return of appraisement of swine, twenty cents.
Publishing proceedings of appraisers of swine, fifty-cents.
Entering action in civil cases, fifteen cents.
Summons or subpoena, fifteen cents.
Capias, (in civil case,) twenty-five cents.
Every additional, after the first, three cents.
All witnesses' names to be in one subpoena, unless separate subpoenas be requested by the parties.
Subpoena, (*duces tecum*,) twenty cents.
Entering return of summons, fifteen cents.
Entering *capias* and bail bond, twenty cents.
Every continuance of suit, fifteen cents.
Trial and judgment, in case, fifty cents.
Entering judgment by confession, twenty cents.
Investigating plaintiff's claim, and entering judgment by default, twenty-five cents.
Taking bail or plea of freehold, twenty cents.
Entering satisfaction, ten cents.
Entering discontinuance of suit, ten cents.
Entering amicable suit, twenty-five cents.
Entering rule to take deposition of witnesses, ten cents.
Rule to take deposition, fifteen cents.
Interrogatories annexed to rule to take depositions, twenty-five cents.
Entering return of rule, (in any case,) ten cents.
Entering rule to refer, ten cents.
Rule of reference, twenty cents.
Notice of each referee, fifteen cents.
Entering report of referees, and judgment thereon, twenty five cents.

Written notice in any case, fifteen cents.

Execution, twenty cents.

Entering return of execution, ten cents.

Scire facias, in any case, twenty-five cents.

Opening judgment for re-hearing, fifteen cents.

Transcript of judgment and certificate, fifty cents.

Return of proceedings on *certiorari* or appeal, including recognizance, fifty cents.

Receiving the amount of a judgment, and paying the same over, if not exceeding ten dollars, fifteen cents.

If exceeding ten, and not exceeding thirty, twenty-five cents.

If exceeding thirty dollars, fifty cents.

Every search service, to which no fees are attached, fifteen cents.

Affidavit in case of attachment, twenty-five cents.

Entering action in case of attachment, fifteen cents.

Attachment, in any case, twenty-five cents.

Recognizance, fifty cents.

Interrogatories, twenty-five cents.

Rule on garnishee, fifteen cents.

Return of rule on garnishee, ten cents.

Bond, in case of attachment, twenty-five cents.

Entering return and appointing freeholders, fifteen cents.

Advertisements, (each,) twenty cents.

Order to sell goods, twenty-five cents.

Entering transcript of judgment from another justice, twenty-five cents.

Order for the removal of a pauper, (each justice,) fifty cents.

Order to seize goods for maintenance of wife and children, twenty-five cents.

Order for premium for wolf, fox or other scalps, to be paid by the county, fifteen cents.

Every acknowledgment, or probate of deed, or other instrument of writing, twenty-five cents.

Taking and signing acknowledgment of indenture of an apprentice, twenty-five cents.

Assignment and making record of indenture, twenty-five cents.

Cancelling indenture, fifteen cents.

Comparing and signing tax duplicates, (each justice,) fifty cents.

For marrying each couple, making record thereof, and certificate to the parties, two dollars.

Certificate of approbation of two justices, to the binding as apprentice of a person by the directors of the poor, (each justice,) twenty-five cents.

Certificate to obtain land warrant, fifty cents.

Swearing or affirming county commissioner, assessor, director of the poor, or other township or county officer, and certificate, to be paid by the county, twenty-five cents.

For administering oaths, or affirmations, in any case not herein provided for, twenty cents.

For issuing process to lessee, in landlord and tenant proceedings, each justice, twenty cents.

Hearing and determining complaint, fifty cents.

Recording proceedings therein, issuing and receiving returns of writ of restitution, fifty cents.

SECTION 2. (The same as heretofore, to wit :)

The fees for services under the laws of the United States shall be as follows, namely :

For certificate of protection, fifty cents.

For certificate of lost protection, twenty-five cents.

For warrant, twenty-five cents

For commitment, twenty-five cents.

Summons for seamen, in admiralty case, twenty-five cents.

Hearing thereon, with docket entry, fifty cents.

Certificate to clerk of district court to issue admiralty process, twenty-five cents.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 164.

An Act

To view and lay out a State Road in the counties of Clarion and Forest.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Conner and Porter Haskell, of Clarion county, **Commissioners** and James Painter, of Forest county, be and are hereby appointed commissioners to lay out a state road, commencing at or near the mouth of Coleman's run, adjoining the Jefferson **Route.** county line, thence through the counties of Clarion and Forest, to the intersection with the Warren state road, at or near Bernard M'Cluskey's.

SECTION 2. That it shall be the duty of said commissioners, **Duties of commissioners.** as soon as practicable after the passage of this act, having first been duly sworn, or affirmed, before a justice of the peace, or other proper officer, carefully to view the ground and lay out said road, in accordance with the general road laws of this commonwealth, and they shall make a fair and accurate draft of the location of said road, and file a copy of the same, severally, in the clerk's office of the court of quarter sessions of the counties of Clarion and Forest.

Compensation.

SECTION 3. That said commissioners shall each receive the sum of one dollar and fifty cents per diem for the services, with the right to employ such assistants as may be necessary, at a sum not exceeding one dollar and twenty-five cents per diem, the expenses of which shall be paid by the counties of Forest and Clarion, conjointly: *Provided*, That should any vacancy occur in the commission, the remaining member, or members, thereof may fill the same by appointment.

Vacancies.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 165.

An Act

Supplementary to an act to incorporate the village of Bridgeport, in the county of Montgomery, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next annual election to be held in the borough of Bridgeport, in the county of Montgomery, for the election of borough officers, it shall be lawful for the qualified electors of said borough, to elect six persons to be members of the town council of said borough, two for one year, two for two years, and two for three years; and to elect, annually thereafter, two persons for three years; and also, at said next annual election, to elect three borough auditors, to audit and adjust the accounts of the town council, school directors, and all other accounts and claims relative to the affairs of the said borough; one of said auditors to be elected for one year, one for two years, and one for three years, and to elect one, annually thereafter, for three years; and that at all borough elections, the candidates for the several offices shall be voted for on slips of paper, headed with the words, "borough officers;" no voter to hand in more than one such ticket, or slip of paper; and that the ninety days' notice to owners of ground respecting the curbing, paving, and repairing of the foot ways, or side walks, opposite to their respective lands, prescribed in the eighteenth

section of the act to which this is a supplement, shall be reduced and limited to twenty days.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 166.

An Act

To repeal the law and vacate a certain State Road in Fayette and Greene counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to view and lay out a state road from Carmichaelstown, in Greene county, to M'Clellandtown, in Fayette county," passed the ninth day of February, Anno Domini one thousand eight hundred and forty-nine, be and the same is hereby repealed, and that the road laid out under said act, be and the same is hereby annulled and vacated: *Provided*, That nothing herein contained shall be construed to vacate any road heretofore laid out, and in actual use by the public, on the same ground.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 167.

An Act

Relating to the charter of the Jefferson Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Certain sections
of act of incor-
poration re-
vived.

That the seventh, ninth and tenth sections of the act to which this is a supplement, incorporating said company, be and the same are hereby revived.

Additional com-
missioners.

SECTION 2. That Samuel E. Dimmick, Zenas H. Russel, Frederick M. Crane, Ephraim W. Hamlin, Richard L. Seely, Howkin B. Beardslee, James Mumford, Urbane Burrowes, John Smiley, James B. Gregg, Ira Nichols, Samuel Falkenberg, John Kelley, John Hennegan, and Lorenzo Grambs, be added to the commissioners provided for in the seventh section.

Capital stock.

SECTION 3. That the capital stock of said company shall consist of four thousand shares of fifty dollars each; and it shall be lawful for the president and directors of said company, upon a vote of the stockholders, at a meeting called for that purpose, to increase the capital stock of said company to such sum as may be necessary to complete said road, or any portions thereof; or in lieu thereof, or any portion thereof, to issue from time to time, and dispose of, at par, the bonds of said company, payable at any period, not to exceed twenty years, after the date thereof, with interest not to exceed seven per centum per annum, payable semi-annually, with or without coupons; and for the securing of the payment of said bonds, with the interest, to execute a mortgage, or mortgages, of and upon said road, and its branches and appurtenances, or upon any portion thereof; said bonds and mortgage, or mortgages, to be executed in the name, and under the seal of said company, and in such form, or forms, as the directors thereof shall direct or appoint.

May issue bonds

Mortgages.

Authorized to
construct
branch roads.

SECTION 4. That said railroad shall be so constructed as to pass into the borough of Honesdale, but not to be constructed within said borough between Fourth and Eleventh streets; and said company shall have the right to construct and maintain one or more branches, not to exceed in all twenty miles in length.

Extensions and
connections,
relative to.

SECTION 5. That if, within five years, from and after the passage of this act, the extension of the Pennsylvania Coal Company's railroad, authorized by an act of assembly, approved the fifteenth day of March, Anno Domini one thousand eight hundred and fifty-three, shall be completed from the village of Hawley, so as to reach the valley of the Delaware river, the Jefferson Railroad Company shall not be bound to extend its railroad below said village, but may terminate the same in said village, or at any point in Palmyra township, in Wayne county, and shall have its western terminus at, or near, the

junction of the Starrucca creek with the Susquehanna river, in the county of Susquehanna, with the power and authority to connect with any railroad, which the road hereby authorized to be constructed may or shall intersect, with the consent of the company owning the other of said railroads.

SECTION 6. That it shall be lawful for the said Jefferson Railroad Company to lease said road it is hereby authorized to construct, and the person or persons, body or bodies, his, her, or their heirs, successors, or assigns, to whom said company may or shall lease or let said road, and its appurtenances, is, or are hereby authorized and empowered to enter into, make, take and accept the said lease, and have, hold and enjoy the same, subject to the provisions of an act, and the supplement thereto, entitled "An Act in reference to running locomotive engines and cars on connecting railroads," approved March thirteenth, Anno Domini one thousand eight hundred and forty-seven. May lease the road.

SECTION 7. That if the said Jefferson Railroad Company shall fail to complete, and open for use, with at least one track, that part of said road extending from said village of Hawley to the borough of Honesdale, within six years from the passage of this act, and fail to construct, complete, and open for use, with at least one track, the whole thereof, within ten years, then this act shall be null and void. When certain portion to be completed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 168.

An Act

To incorporate the Chester Rural Cemetery Association of Delaware county.

WHEREAS, The following named citizens of the borough and township of Chester, in the county of Delaware, have agreed to subscribe the sum of one thousand dollars each, for the purpose of providing a public cemetery, to be located within the limits of said borough or township; therefore, Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Benjamin Gartside, Frederick Fairlamb, Joshua P. Eyre, Corporators.

Location and name.	Abraham Blakely, John Larkin, junior, Raney, Son and Archibald, John H. Baker, George Wilson, Joseph Taylor, Samuel M. Felton, Samuel A. Crozer, Mortimer H. Bickley, John P. Crozer, and such other persons as may hereafter subscribe and contribute each a like sum, and their successors, be and they are hereby created and declared a body politic and corporate, for establishing a public cemetery, to be located in either the borough or township of Chester, by the name, style and title of the Chester Rural Cemetery Association, and by that name
Privileges.	shall have perpetual succession, and be able to sue and be sued, in any court of law or equity, and may have and use a common seal, and the same, at their pleasure, to alter or renew, and shall have power to purchase, have, hold, use and enjoy, to them and their successors, real and personal estate, and property, for the purpose of establishing and conducting said cemetery :
Proviso.	<i>Provided</i> , That the whole quantity of real estate to be held by them, as a corporation, shall not exceed sixty acres ; and the said corporation shall have authority to receive gifts, bequests, or legacies, for the purpose of ornamenting, improving, or keeping in order said cemetery, or any part thereof, and to hold such personal property as may be necessary to carry out the objects of this incorporation.
Capital stock.	SECTION 2. The capital stock of said cemetery association shall not exceed thirty thousand dollars, divided into shares of one thousand dollars each ; and every person or firm, at the time of subscribing, shall pay an instalment of fifty dollars on each share, by him, her or them subscribed, and the residue shall be paid in such amounts, and at such times, as may be required by the managers.
Management.	SECTION 3. The affairs of said corporation shall be conducted, and the management of its property shall be vested in, and the corporate powers shall be exercised by, a board of nine managers, five of whom shall form a quorum, for the transaction of business, and said managers shall be elected by ballot, by and from among the members of the association, for the term of three years, three of whom shall be elected every year ; each share of stock to be entitled to one vote, and either special or sufficient public notice shall be given, by the secretary, of the time and place for holding such elections ; the first election for managers shall be held on the first Monday of February, one thousand eight hundred and sixty-four, at which time nine managers shall be elected, three for one year, three for two years, and three for three years, and thereafter annual meetings of the members of the association shall be held on the first Mondays of February, in every year, at which, reports of the affairs of the corporation shall be made by the managers, and elections shall be held for three managers to serve for three years ; and until the first election shall be held, the corporators named in the first section of this act shall be the managers, and shall have full power and authority to act as such :
Election of managers.	<i>Provided</i> , That in case the first, or any subsequent, election shall not be held at the time specified, the managers of the preceding year shall continue to act as managers until an election shall be held.
Annual meetings.	SECTION 4. The managers shall elect a president from among
Corporators to act as managers until election.	
Proviso.	

themselves to serve for one year, and shall have power to fill all vacancies, until the next election, that may occur in the board, and to elect or appoint a secretary and treasurer, and such other necessary officers and employees, and to fix their several duties and compensation; and to make such by-laws, rules and regulations, and the same to alter and amend as they may deem proper, for conducting the affairs of the corporation, for the government of the lot-holders, and visitors to the cemetery, and for the transfer of lots and the evidence thereof; they shall also have power to purchase land for the said cemetery, and lay out and ornament the grounds, to erect such buildings thereon, and to make all other improvements they may deem necessary for the enjoyment of the same; to lay out, sell, dispose of, and convey, plots and burial lots, for purposes of sepulture, to individuals, societies and congregations, without distinction or regard to sect, under such conditions, rules and regulations as the managers may establish.

Election of president and other officers.

Powers and duties of managers

SECTION 5. That none of the said lots shall be used for any other purpose than that of sepulture, and they shall be free from seizure, levy or sale, under or by virtue of any execution, or other process, against the grantee or grantees of such lots; and no grantee shall be at liberty to transfer his or her lot to any person whomsoever, without the consent of the managers first had, in writing; and the said cemetery shall hereafter be exempt from taxation.

Lots, relative to.

SECTION 6. That the original conveyance of lots from the corporation to individuals, societies and congregations, may be evidenced either by deed or by a certificate, signed by the president, and countersigned by the secretary, or treasurer, as the rules and regulations, or by-laws, shall require; and such deed or certificate, specifying that such a person is the owner of such lot, or lots, shall vest in the proprietor, his, her or their heirs and assigns, a right, in fee simple, to such lot or lots; and said certificates shall have the same force and effect as deeds duly executed in other cases, and may be recorded, and certified copies thereof shall be evidence as in other cases: *Provided however*, That all lots must be held subject to the rules and regulations of the association.

Conveyances of lots, how to be evidenced.

Effect of.

Proviso.

SECTION 7. That no streets or roads shall hereafter be opened through the lands of said corporation, except by and with the consent of the said president and managers; and that any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument, grave-stone, or other structure placed in the cemetery aforesaid, or any fence, railing, or other work for the protection or ornament of said cemetery, or shall wilfully destroy, cut, break, or remove any tree, shrub, or plant, within the limits of said cemetery; or shall shoot, or discharge any gun, or other fire-arms, within said limits, except at military funerals, and by orders of an officer in command, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof before any justice of the peace of the county of Delaware, be punished by a fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five, nor more than one hundred dollars, or shall, upon the conviction thereof in the court of quarter sessions of said

Opening of streets or roads.

Penalty for injuries to grounds, &c.

county, be punished by a fine, and by imprisonment, according to the aggravation of the offence, at the discretion of the court.

How money to be appropriated SECTION 8. That the money received from the sales of lots, and from all other sources, under the by-laws and rules and regulations of the association, shall be appropriated, first to defraying the current expenses of the corporation, and making the necessary repairs and improvements on the cemetery property; second, to paying the stockholders six per centum per annum interest on their stock, and the balance shall be divided yearly, *pro rata*, among the stockholders, in liquidation of the capital stock of the corporation.

Investment of surplus. SECTION 9. That after the capital stock shall have been liquidated, as provided in the preceding section of this act, and the original investment, with interest at the rate of six per centum per annum, shall have been fully paid to the stockholders, or their heirs or assigns, then of the revenue derived from the sales of lots, after deducting the amounts paid for current expenses and necessary repairs, a per centage, to be agreed upon by resolution of the managers, shall be yearly set apart and securely invested in good and safe interest paying securities, for creating a permanent fund for the support of said cemetery; and the balance of said revenue, if any, shall all be expended in improving and beautifying the property of the association, or, if deemed necessary, in enlarging the grounds; and each family lot-holder shall become a member of the corporation, and each

Permanent fund created.

Privileges of lot-holders.

Proviso.

Votes.

a manager or other officer of this association: *Provided*, That when one lot shall be owned by a family, or by more than one person, any male member of such family, or any one of such owners, as the case may be, being above the age of twenty-one years, may be elected an officer: *And provided further*, That one lot shall not entitle the owners thereof to more than one vote; but when a lot may be owned by more than one person, the vote shall be cast by the oldest owner, being above the age of twenty-one years; and no person shall be entitled to more than one vote, notwithstanding he may be the owner of more than one lot.

Certain provisions extended to.

SECTION 10. That the provisions of an act, entitled "An Act relative to cemeteries and burial places in the county of York," approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven, be and the same is hereby extended to this cemetery.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 169.

A Supplement

To "An Act for the relief of Joshua Pugh, of Luzerne county, and to incorporate the Odd Fellows' Hall Association of Manayunk," approved the eighth day of May, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the said Odd Fellows' Hall Association of Manayunk are hereby authorized and empowered to act as trustees for such property as may be conveyed, bequeathed or devised to them, for the benefit of widows and orphans of their deceased members, and to sell or mortgage the said property, so held in trust, and to hold and sell other real or personal estate, purchased with the proceeds thereof: *Provided nevertheless,* That the proceeds of such sale, or of any estate purchased therein, shall only be used for the purpose of the original trust.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 170.

An Act

To confirm the action of the Commissioners of Union county, and of the townships and boroughs in said county, in relation to the payment of bounties to volunteers.

WHEREAS, In accordance with the wish of a large majority **Preamble** of the taxable inhabitants of the county of Union, taxes have been assessed for the payment of bounties to volunteers, and for the support of the families of persons from said county, who are now in the army of the United States; therefore,

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Certain assessments of taxes legalized.

That the tax assessed by the commissioners of the county of Union, and those assessed by the burgess and town council of the borough of Lewisburg; also, those assessed, or which may be hereafter assessed, in other boroughs and townships, in said county, to pay bounties to volunteers, and to support the families of persons from said county, now in service in the army of the United States, be and the same is hereby legalized and made valid, to all intents and purposes, the same as if there had been a law for said purpose at the time the assessments were made, to enforce the collection of such tax; and the collection of said taxes to be enforced in the same manner as any state, county, borough or township tax can be by existing laws, now in force.

Collection of.

Property of delinquents subject to levy and sale.

SECTION 2. The duplicates already assessed and made out shall be good and valid, the same as though said taxes had been legally assessed; and if payment is not made on demand, the property of such delinquent shall be subject to levy and sale, and in all other respects subject to the existing laws relating to the collection of state and county taxes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 171.

An Act

Providing for the levying and collecting a tax in several townships of Northampton county, for the relief of subscribers, and others, to the Volunteer bounty fund.

Preamble.

WHEREAS, The taxable inhabitants of Lower Saucon, Palmer, Plainfield, Lower Nazareth, Forks and Williams townships, in the county of Northampton, have expended certain sums of money in raising their quota of volunteers to serve in the army of the United States, under the call of the President for three hundred thousand militia:

And whereas, Justice requires that the burden of paying the same should be borne by all the taxable inhabitants alike; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

That the hereinafter named board of managers, for the several townships hereinbefore named, are hereby authorized to impose a tax upon all the taxable inhabitants of the said hereinbefore-mentioned townships, and levy and raise the same in the same manner, and upon the same basis of taxation, as the school tax is by law levied and raised, sufficient to raise a sum in each before-named township, not to exceed the sum subscribed, loaned and otherwise expended, by the inhabitants of such townships, for bounties to volunteers, to avoid, in part, or altogether, the recent draft of the militia, in said several townships, the cost of collecting and disbursing to said volunteers, and the cost of assessing and collecting said tax, with such additional sum for abatements and exonerations, as near as the same can be ascertained; that the said tax shall be levied and collected during the year one thousand eight hundred and sixty-three; and that the managers hereinafter named, shall have power to appoint a collector in their several townships, who shall receive, for his services, a sum not exceeding three per centum upon the whole amount collected, and who shall have all the power and authority to enforce the said collection, which by law is conferred upon the collectors of the state and county tax.

Boards of managers, for certain townships, authorized to impose a tax.

Object and amount of.

Collectors to be appointed.

Compensation and powers of.

SECTION 2. That in levying the said tax, the sum of one dollar shall first be imposed upon every taxable inhabitant in the said townships, excepting widows, non-residents, and persons who shall have been, or are now, in actual service of the United States army.

Certain amount to be first imposed upon each taxable.

SECTION 3. That John Knecht, Samuel Hess, and Thomas G. Riegel, shall be the board of managers for Saucon township; David Shook, Daniel Geisley, and Jacob S. Kriedler, shall be the board of managers for Plainfield township; John J. Unangst, John Mutchler, and John Sandt, for Palmer township; William G. Beck, Christian Nagel, and John Laubach, for Lower Nazareth township; John M. Lerch, John Loehr, and John Woodring, for Forks township; and Plato Stout, Richard Deemer, and Joseph Woodring, for Williams township, to carry into effect the provisions of this act; and that each board of managers, before named, shall enter into a bond, with the township they represent, in an amount equal to twice the amount they are required to raise, conditioned for the faithful performance of their duties; and should there remain a balance of money in their hands, after the purposes herein provided for shall have been fully carried out, they shall pay the same over to the treasurer of the school boards of their respective townships, and settle their accounts with the township auditors.

Names of managers.

Appropriation of balance.

JOHN CESSNA,
Speaker of the House of Representatives. ●
GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN

No. 172.

An Act

To repeal the special road laws in certain townships in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the acts entitled "An Act authorizing the governor to incorporate the Saw Mill Valley Turnpike or Plank Road Company, and relative to roads in Pine township, Allegheny county," approved the sixth day of April, Anno Domini one thousand eight hundred and fifty-three, and also, so much of the "Act relating to roads, in Chartiers, Scott, and Lower Saint Clair townships, Allegheny county," approved the twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two, as relates to Lower Saint Clair township, be and the same are hereby repealed; and that the general road laws of the state be and the same are hereby declared applicable to both said townships.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 173.

An Act

To enable trustees of Railroad Stocks, of the city of Pittsburg, to sell or assign said stocks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees, or a majority of them, to whom were assigned certain railroad stocks of the city of Pittsburg, in pursuance of an ordinance of the select and common councils of said city, entitled "An Ordinance authorizing assignment of railroad stocks," passed in councils, March nineteenth,

one thousand eight hundred and sixty, be and are hereby authorized to sell, or assign, said stocks, or any portion or portions thereof, in such manner as they may deem most advisable, in effecting a compromise with the holders of the railroad bonds of said city: *Provided*, That nothing in this act shall be construed as interfering with any rights which other persons may have in any portions of said stocks, under sales on executions from the circuit court of the United States for the western district of Pennsylvania.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 174.

An Act

Vacating Cherry street, in the Twenty-fourth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Cherry street, in the Twenty-fourth ward of the city of Philadelphia, extending from the Schuylkill river to Lehman or Thirty-first street, be and the same is hereby vacated, and the title to the soil, over which the same is laid, is hereby vested in the owners of the property fronting on each side of said vacated street, to the middle thereof.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 175.

An Act

To incorporate the Bedford Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Fulton, Lewis T. Watson, O. E. Shannon, Algeron S. Roberts, Richard D. Wood, Edward Roberts, and their associates, successors and assigns, be and they are hereby constituted a body corporate and politic, by the name, style and title of the Bedford Improvement Company; and as such shall have power to take and hold lands in the township of Broad Top, in Bedford county, and the township of Wells, in Fulton county; and the said company shall have all the powers, privileges and immunities, and be subject to all the restrictions and liabilities, contained in and conferred by an act, entitled "An Act to incorporate the Union Improvement Company," approved the seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six, and the supplement thereto: *Provided*, That the quantity of land held by said company, at any one time, shall not exceed five thousand acres.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 176.

Supplement

To an act to incorporate the Hazleton Coal Company.

Authorized to
construct lateral
roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Hazleton Coal Company be and is hereby authorized and empowered to extend lateral railroads from the line of its present railroad to adjacent mines and coal works: *Provided*, That no such laterals shall exceed ten miles each in length.

SECTION 2. That the said company shall have all the rights ~~Subject to.~~ and privileges, and be subject to all the restrictions of the fifth section of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 3. That the said company shall lay a second, or Double track to double, track, on so much of its road, and at such time, or times, be laid, as the board of directors thereof may deem expedient.

SECTION 4. That such acts, or parts of acts, as are hereby ~~Repeal.~~ substituted, or are inconsistent herewith, be and the same are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 177.

A Supplement

To an act to revive and continue in force the law graduating lands, upon which money is due the Commonwealth, and regulating the mode of charging interest thereon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the interest to be charged on settlement for lots in Springfield township, one of the Seventeen townships of Luzerne, now Terry township, Bradford county, shall be computed from the date of the certificates of partition, issued by commissioners, under the act passed April eighth, one thousand eight hundred and twenty-nine, so far as the lots thus partitioned are concerned.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 178.

An Act

Authorizing the owners of land in Adams county, bordering on public roads, or highways, to lay pavements, or make walks, along their said lands, and for the protection thereof.

Pavements
along certain
roads autho-
rized.

Construction of.

Penalty for in-
juries to same.

How to be ap-
propriated.
Notices re-
quired.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That any owner of land, or other persons, by and with the written consent of the owner, or owners, of said land, may, from and after the passage of this act, lay pavements, or make solid walks of any description, not exceeding four feet in width, immediately in front of said owner's land, along public roads, or highways, in the county of Adams, when said public roads are not less than twenty-four feet wide; said pavements and walks to be so constructed, as not to interfere with a free passage of water from the bed of said highway, or with the drainage of water to and from the adjoining lands.

SECTION 2. That it shall not be lawful for any person, or persons, to ride, drive, or lead horses, or drive wagons, carriages, or vehicles, of any description, over the same, or injure the same in any manner, under a penalty of five dollars for each such offence, to be recovered before an alderman, or justice of the peace, where the offence is committed, on the information or complaint of the owner, or occupant, of the adjoining lands, or of any other person; the complaint shall be made in the name of the commonwealth, and the penalty aforesaid shall be appropriated to the school fund of the district in which the complaint is made.

SECTION 3. That it shall be the duty of the parties interested in keeping up said walks, or pavements, to put up, and keep in a conspicuous place, at each end of said walks, notice of said penalty, before a recovery can be had therefor, under this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 179.

An Act

To extend to the cities of Lancaster, Harrisburg, Pittsburg and Allegheny, the provisions of an act to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia," approved March thirteenth, Anno Domini one thousand eight hundred and sixty-two, be and the same are hereby extended to the cities of Lancaster, Harrisburg, Pittsburg and Allegheny.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 180.

An Act

To authorize Henry B. Masser and John H. Fisher to establish and maintain a ferry over the Susquehanna river at Selinsgrove.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That H. B. Masser and John H. Fisher be and they are hereby authorized and empowered to keep, establish, maintain and operate a public ferry across the river Susquehanna, from land of H. B. Masser, on the eastern shore of said river, at the Selinsgrove depot or station, on the line of the Northern Central railway, to land of John H. Fisher, and now in his occupancy, on the west side of said river, in the borough of Selinsgrove. Ferry authorized.
Location.

Ferry to be kept
in order.

Tolls.

Not to interfere
with naviga-
tion, &c.

Prohibition.

Penalty for vio-
lations of cer-
tain provisions.

SECTION 2. That H. B. Masser and John H. Fisher, their heirs and assigns, shall own the same, and shall establish, maintain and keep up the said ferry, and furnish all needful facilities for crossing said river, either with ordinary boats, or by the use of steam vessel, or vessels: *Provided*, That not more than fifteen cents shall be charged for conveying a passenger across said river in the day time, and twenty-five cents when taken across in the night: *And provided*, The said ferry shall be subject to the general laws of this commonwealth relating to public ferries: *And provided further*, That the said ferry shall not interfere with the navigation of said river, nor with the rights of property owners on the same.

SECTION 3. That all persons are hereby prohibited from using said river, as a public ferry, for the space of one-half mile above and below said points, on both sides of the said river; and any person, or persons, violating against this provision, shall, for each and every offence, upon conviction before any court, or justice of the peace, in either of the counties of Snyder or Northumberland, forfeit the sum of five dollars, one-half for the use of the prosecutor, and the other for the use of the common schools of the district in which suit may be brought.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 181.

An Act

To incorporate the La Salle College, in the city of Philadelphia.

Corporators.

Title.

Privileges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That James F. Wood, Nicholas Cantwell, Thomas Kierans, Bernard Fackeldey, Jeremiah Dugan, Bernard Maguire, William V. Keating, Hugh O'Donnell, John Gegan and William Moroney, and their successors, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the La Salle college, in the city of Philadelphia, and by that name and title shall have perpetual succession, shall be able to sue and be sued, to plead and be impleaded, and shall be able and capa-

ble, in law and in equity, to receive, take and hold, for the use of the said college, lands, tenements, hereditaments and estate, real and personal whatsoever, and the same to grant, bargain, sell, transfer, assign, mortgage and convey, in such manner as the said corporation shall deem proper, and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever, and to make, have, and use a common seal, under and by which all deeds, assurances, diplomas and acts of the said college, or corporation, shall pass, and be authenticated, and the same seal to change and renew at pleasure, and generally to do every other act or thing necessary to carry into effect the provisions of this act, and to promote the objects and designs of the said corporation.

SECTION 2. That the object and design of the said corporation shall be the establishment of a college within the limits of the city and county of Philadelphia, in which are to be taught the elementary branches of education, together with the sciences, and modern and ancient languages, in the manner that may be determined, from time to time, by the proper officers of the said corporation, and as the same be set forth in their by-laws and regulations: *Provided*, That such by-laws and regulations are not inconsistent with this charter, or with the constitution of the United States, or the constitution and laws of this commonwealth.

SECTION 3. That the said college shall have power to adopt a constitution and make by-laws, and the same to amend, alter or repeal at pleasure.

SECTION 4. That the said corporation shall not at any time have, hold or receive a clear yearly income exceeding ten thousand dollars, without first obtaining authority from the legislature of this commonwealth.

SECTION 5. That no misnomer of the said corporation shall defeat any intended gift, grant, conveyance, devise or bequest thereto, nor any act or deed intended to be done or made thereby.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No 182.

An Act

To empower the executors of Sarah Miles, late of Centre county, deceased, to sell certain real estate.

WHEREAS, Sarah Miles, late of Centre county, Pennsylvania, deceased, by her last will and testament, dated September sixteenth, one thousand eight hundred and sixty-two, did, among other things, direct her executors to pay certain legacies, and did bequeath the residue of her estate among certain residuary devisees:

And whereas, No provision was made, in said will, for the sale of the real estate of which she died seized, and no person appointed to make sale of said real estate:

And whereas, No power exists in the courts to authorize the sale of said real estate, for the purpose of distribution among said residuary devisees:

And whereas, It would be greatly to the advantage of all parties interested in said estate to have the same sold; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Livingston and Henry Vandyke, executors of the last will and testament of Sarah Miles, late of Centre county, Pennsylvania, deceased, or whoever may be legally appointed to succeed them as executors of said will, be and are hereby empowered and authorized, under, and by direction of the orphans' court of said county, at any time after the passage of this act, upon twenty days' notice, to sell all, or any portion, of the real estate of which the said testatrix died seized, at public sale, for the best price that can be obtained therefor, and to execute and deliver good and sufficient deeds of conveyance, in fee simple, to the purchasers: *Provided*, That no sale be so made, until the said executors shall have filed their bond in the orphans' court of Centre county, in double the probable amount of the proceeds of such sale, with security approved by said court, and conditioned for the faithful application of said proceeds of sale.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 183.

An Act

To incorporate the Oil Creek Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That H. M'Clintock, Josiah West, William A. Shreeves, William Phillips, James Tarr, John Barnsdell and T. B. Hoover, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style and title of the Oil Creek Navigation Company; and the said company shall be able and capable in law to sue and be sued, and to plead and be impleaded; and shall have a common seal, and shall have power to make and enforce such by-laws, rules and regulations, as may be necessary to carry out the purposes and objects of this act: *Provided*, That the same shall not conflict with the laws of this commonwealth, or of the United States.

Commissioners.

Name.

Seal.

By-laws.

Proviso.

SECTION 2. That the said company shall be organized, its capital stock subscribed and paid, letters patent issued by the governor, and elections of officers held, in accordance with the provisions of the first, second, third, fourth and fifth sections of "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine: *Provided*, That no person shall have the right to subscribe to the capital stock of said company, unless he or she shall be directly interested in the oil business, on Oil creek, in Venango county: *And provided*, That no person shall have the right to subscribe more than two shares to the said capital stock, and which capital stock shall be paid at the time of subscription: *And provided*, That each stockholder shall be entitled to but one vote: *And provided further*, That the managers of said company shall consist of a president and six directors.

Subject to certain provisions.

Subscriptions to stock, relative to.

Votes.

Managers.

SECTION 3. That the capital stock of the said company shall be one thousand shares, of one dollar each, with the power of increasing the same, from time to time, to such an amount as may be necessary to carry out the objects and purposes of its corporation, not exceeding three thousand dollars.

Capital stock.

SECTION 4. That the said company shall have the right and power to produce, or cause to be produced, pond freshets in Oil creek, in Venango county, for the purpose of floating boats, carrying oil, down said creek into the Allegheny river, at such times as may be deemed advisable by the said company: *Provided*, That the said pond freshets shall not, at any time, interfere with the navigation of the said creek during natural water freshets: *And provided further*, That the said company shall give forty-eight hours' notice to the owners of oil and oil wells, along the said creek, before producing, or causing to be produced, its pond freshets aforesaid.

Authorized to produce pond freshets.

Proviso.

Proviso.

Charges.

Owners of boats
required to
have permits
and furnish
statements.

Recovery of
tolls and penal-
ties.

SECTION 5. That the said company shall have the right to demand, and receive, from the owners of oil, or from the owners of the boats carrying the same, a sum not exceeding three cents per barrel; and the owners and masters of boats intending to carry oil down said creek, at any of its pond freshets aforesaid, are hereby required, before they ascend said creek with their boats aforesaid, to furnish said company with the names of their said boats, and receive from the said company a permit, or clearance, to ascend said creek for the purpose of carrying down oil on its said pond freshets, as aforesaid; and the owners of said boats, or owners of oil, as aforesaid, are also hereby required to furnish to the said company, within twenty-four hours after the said pond freshets, an accurate and correct statement of the amount of oil carried down said creek as aforesaid; and if any owners of oil shall load oil upon any boats which have not obtained permits, or clearances, as aforesaid, to be carried down said creek on said pond freshets; or if any owners of oil, or owners of boats aforesaid, shall not furnish an accurate and correct statement of the amount of oil carried down said creek on said pond freshets, within twenty-four hours afterwards, then said company shall have the right to demand, and receive, from the owners of said oil, or from the owners of said boats, the sum of five cents for each and every barrel of oil carried down said creek, as aforesaid; and the said company shall have the power to sue for and recover all sums of money, tolls and penalties, authorized by this act, as debts and penalties of a like amount are now by law collectable; and in the collection of the same, any and all acts of assembly of this commonwealth, exempting property from levy and sale, on execution, shall not apply.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 184.

An Act

To incorporate the Blair Iron and Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That David Watson, James Denniston, S. S. Blair, William Corporators. Jack, H. A. Boggs, James Morley, and Howard J. Roberts, their associates and successors, be and they are hereby created a body politic and corporate, by the name, style and title of Title. the Blair Iron and Coal Company, by which name the said corporators, and their successors, shall have perpetual succession, and enjoy all the privileges and franchises incident to a corporation.

SECTION 2. The said company shall have and enjoy all the rights, powers and privileges, and be subject to all the provisions of an act, entitled "An Act to incorporate the Powelton Coal and Iron Company," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, having the right to hold the same amount of land in Blair, and adjoining counties; and that a president and six directors shall constitute the board of managers for said company. Privileges. Lan is. Board of managers.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 185.

An Act

To extend the charter of the York County Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to incorporate the York County Mutual Insurance Company," approved the fourth day of April, one thousand eight hundred and forty-three, together with all the acts supplementary thereto, and connected with the same, are hereby extended for the period of twenty years, from the fourth day of April, one thousand eight hundred and sixty-three.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 186.

An Act

To incorporate the North Philadelphia Association of Baptist Churches.

Preamble.

WHEREAS, The North Philadelphia Association of Baptist Churches, meeting by delegates from the churches composing the association, and formed for the purpose of increasing brotherly love, for holding meetings for devotional and other christian exercises, and for collecting and publishing the statistics of the churches associated, and for promoting the strictly religious prosperity of the churches, and for the advancement of the Christian religion, are desirous of obtaining a charter of incorporation, to secure any property or estate that they now, or hereafter may, have, and the better to promote the end of their institution; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Rev. Thomas R. Taylor, George Cunkle, Rev. Thomas S. Malcom, Adam Johnston, Rev. Thomas C. Trotter, Smith Hand, Rev. Norman B. Baldwin, Benjamin F. Hancock, Rev. Warren Randolph, Thomas Watson, Rev. Andrew J. Hay, and Edwin L. Kirk, twelve persons, six of whom are pastors, and six thereof laymen, members of churches of the said the North Philadelphia Association of Baptist Churches, and their successors, elected in the manner hereinafter prescribed, be and they are hereby constituted a body corporate and politic, in fact and in law, by the name of The Trustees of the North Philadelphia Association of Baptist Churches, and by that name shall be capable of perpetual succession, may sue and be sued, may have and use a common seal, and alter and change the same at pleasure; and shall also be capable to accept, and take by devise, grant, bargain, sale, or otherwise, any estate, or property, real, or personal, and the same to hold and enjoy, or to sell and convey, lease, mortgage, or otherwise dispose of, as fully and absolutely, in all respects, as any natural person might do: *Provided however,* That the clear annual income of the estates and property, real and personal, of said corporation, shall not exceed the sum of five thousand dollars: *And provided further,* That the said corporation shall never consist of more than twelve persons, six pastors and six laymen, who are herein designated trustees.

Name.

Privileges.

Proviso.

Proviso.

Official terms of trustees.

SECTION 2. That the terms of office of the said named trustees shall expire as follows, viz: the term of two of them, one pastor and one layman, shall expire at each annual session of the said the North Philadelphia Association of Baptist Churches, after the passage of this act, until the said terms of office shall have expired, viz: Rev. Thomas R. Taylor and George Cunkle, at the first session; Rev. Thomas S. Malcom and Adam Johnston, at the second session; Rev. Thomas C. Trotter and

Smith Hand, at the third session; Rev. Norman B. Baldwin and Benjamin F. Hancock, at the fourth session; Rev. Warren Randolph and Thomas Watson, at the fifth session; and Rev. Andrew J. Hay and Edwin L. Kirk, at the sixth session.

SECTION 3. That the trustees shall be elected by the said the Mode of elect-
North Philadelphia Association of Baptist Churches, as follows, ing trustees.
viz:

1. At every annual session of said association, after the pas- Eligibility.
sage of this act, an election shall be held on the second day of
the session, at which two persons, one pastor and one layman,
shall be chosen, by ballot, to serve as trustees for the term of
six years; but no person shall be eligible to said office, who is
not, at the time, a member, in good standing, in some church of
said association.

2. At all elections for trustees, each church represented by a Voten.
delegate, or delegates, in said association, at the time, shall be
entitled to one vote, and a plurality of votes shall determine the
choice.

3. When a trustee ceases to be a member of some church of Vacancies.
said association, his place, in the corporation, shall be vacant.

4. All vacancies, in the board of trustees, by death, or other-
wise, shall be filled at the annual session of said association next
ensuing their occurrence, in the manner hereinbefore provided
for the election of trustees; and the persons, so chosen, shall
hold their seats for the unexpired term of those in whose place
they are chosen.

5. If, from any cause, trustees shall not be elected at the time Failure to elect,
designated in this act, they may be elected at any subsequent relative to.
time during an annual session of the said association.

SECTION 4. The meetings of the said the North Philadelphia Meetings.
Association of Baptist Churches shall be held at least annually,
at such times and places as it may appoint.

SECTION 5. The trustees, a majority of whom shall be a quo- Officers.
rum, shall appoint, and remove, at pleasure, a president, secre-
tary and treasurer; the president shall be chosen from their
own number, but the other officers may be chosen from their
number, or from the body of the said association.

SECTION 6. That when special instructions for the manage- Disposal of pro-
ment or disposal of any estate, or property, real or personal, in perty given in
the care or trust of the said corporation, or committed to it, shall trust, relative
be given by the said association, in writing, under the hands of to.
the moderator and clerk of the same, it shall be the duty of the
trustees to act according to such instructions: *Provided*, Such Prov'iso.
instructions shall not be repugnant to the constitution and laws
of this state, or of the United States.

SECTION 7. That no misnomer, or misdirection, of the said cor- Misnomer.
poration, in any will, deed, grant, or other instrument of writing,
shall vitiate or defeat the same, but that the same shall take
effect in the same manner as if said corporation were rightly
named therein: *Provided*, It be sufficiently described to ascer- Proviso.
tain the intention of the parties.

SECTION 8. That the trustees shall have power to enact and By-laws.
make the necessary by-laws, rules and regulations, for the well
ordering and government of said corporation, the same not being
inconsistent with the constitution and laws of this state, or of

No. 175.

An Act

To incorporate the Bedford Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the Senate and House of Representatives of the Commonwealth of Pennsylvania:* That John Fulton, Lewis T. Watson, O. E. Shannon, Almon S. Roberts, Richard D. Wood, Edward Roberts, and their associates, successors and assigns, be and they are hereby constituted a body corporate and politic, by the name, and title of the Bedford Improvement Company; and as such shall have power to take and hold lands in the township of Broad Top, in Bedford county, and the township of Wellington, in Fulton county; and the said company shall have all the powers, privileges and immunities, and be subject to all the restrictions and liabilities, contained in and conferred by an Act, entitled "An Act to incorporate the Union Improvement Company," approved the seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six, and the supplies thereunto: *Provided*, That the quantity of land held by the company, at any one time, shall not exceed five thousand acres.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIS

No. 176.

Supplement

To an act to incorporate the Hazleton Coal Company.

Authorized to
construct lateral
roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the Senate and House of Representatives of the Commonwealth of Pennsylvania:* That the Hazleton Coal Company be and is hereby authorized and empowered to extend lateral railroads from the line of the present railroad to adjacent mines and coal works: *Provided*, That no such laterals shall exceed ten miles each in length.

SECTION 2. That the said company shall have all the rights **Subject to.** and privileges, and be subject to all the restrictions of the fifth section of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 3. That the said company shall lay a second, or **Double track to** double, track, on so much of its road, and at such time, or times, **be laid.** as the board of directors thereof may deem expedient.

SECTION 4. That such acts, or parts of acts, as are hereby **Repeal.** substituted, or are inconsistent herewith, be and the same are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 177.

A Supplement

To an act to revive and continue in force the law graduating lands, upon which money is due the Commonwealth, and regulating the mode of charging interest thereon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the interest to be charged on settlement for lots in Springfield township, one of the Seventeen townships of Luzerne, now Terry township, Bradford county, shall be computed from the date of the certificates of partition, issued by commissioners, under the act passed April eighth, one thousand eight hundred and twenty-nine, so far as the lots thus partitioned are concerned.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

Accounts. the United States; and they shall keep regular and fair entries of their proceedings, and a correct account of their receipts and disbursements, in a book, or books, kept for that purpose.

Trustees to present statements SECTION 9. That the trustees shall present, in writing, to said association, when in session, annually, and at such other times as they may be requested by the association, a correct and full statement of their accounts, and the condition of the finances of said corporation, accompanied by the certificate of the president that it is presented by the authority of the board of trustees.

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 187.

An Act

To extend the charter of the Union Railroad and Mining Company.

Charter extended.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the acts of assembly of the twelfth day of June, one thousand eight hundred and thirty-nine, the eighth day of April, one thousand eight hundred and forty-six, and the eleventh day of March, one thousand eight hundred and fifty-three, incorporating and extending the charter of the Union Railroad and Mining Company, be and the same are hereby re-enacted, and continued in force until the first day of April, one thousand eight hundred and seventy-three.

Authorized to sell lands and close business.

SECTION 2. The said company are hereby authorized, at any time during the existence of their charter, to sell, dispose of, and convey all their lands, and settle and close up their business, in such manner as shall be determined by a majority of the stockholders, at any meeting convened according to law.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 188.

An Act

For the raising of a bounty for the payment of volunteers in the township of Penn, and the borough of Bernville, county of Berks.

Preamble.
WHEREAS, The citizens, or a majority of them, in the township of Penn, and the borough of Bernville, in the county of Berks, agreed to pay a bounty of fifty dollars to each volunteer, or drafted soldier, who entered the army of the United States, from the said township, under the late requisitions of the government of the United States :

And whereas, The amount required could not be raised, except by voluntary contributions from the citizens, which would be unjust and unequal, as some would refuse to contribute ; and that by an assessment upon the property of the residents of said township and borough, justice and equality will be secured ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the assessors, for the time being, of the said township of Penn, be and they are hereby authorized and empowered to levy and assess a tax upon the taxables and assessable property of the residents of said township, in amount sufficient to pay the said bounty to the volunteers and soldiers aforesaid ; and that the same be collected by the township collector, or collectors, in the same manner, and with like power and authority, as the taxes for township and county purposes are now collected ; and that the same be paid to John B. Reber, for the use of the said volunteers or drafted soldiers.

Assessors of Penn township authorized to levy a tax.

How to be collected and to whom to be paid.

SECTION 2. That the burgess and town council of the borough of Bernville, in said county, shall be authorized to levy and assess a tax upon the taxables, and taxable property, of the resident citizens of said borough, for the payment of bounties to volunteers, and collect said tax in the same manner as state and county taxes are collected in said borough ; and they are also empowered to exempt from taxation such persons and property as they may deem proper.

Burgess and council of Bernville to assess tax.

Collection.

Exemption.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 189.

An Act

To authorize the election of four supervisors for Rostraver township, in the county of Westmoreland.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Election of four supervisors authorized.

That hereafter the qualified voters of Rostraver township, in the county of Westmoreland, shall, at the time, and in the manner provided by law, elect four supervisors of roads for said township.

Township to be divided into four districts.

SECTION 2. That the first four supervisors, elected under the provisions of this act, shall divide said township into four separate districts, as equal as may be; that in all subsequent elections for supervisors, in said township, one shall be chosen from each of the said districts; and that each supervisor, so elected, shall be paid for his services by the district in which he resides.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 190.

An Act

Authorizing the county commissioners of Fayette county to refund to William Bradman, late treasurer of said county, certain moneys.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the county commissioners of Fayette county are hereby authorized to pay to William Bradman, late treasurer of said county, the sum of two hundred and seventy-seven dollars and

forty-seven cents, with interest thereon, from January, Anno Domini one thousand eight hundred and fifty-eight.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 191.

An Act

For the better preservation of game in the county of Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act for the better preservation of game and insectivorous birds," be and the same is hereby re-enacted, so far as relates to the county of Cumberland.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 192.

An Act

Regulating the fees of the sheriffs of Blair and Huntingdon counties.

WHEREAS, It is alleged that the supreme court have decided that sheriffs, in making sales of personal property, shall not sell by bulk:

And whereas, The expenses of sales of personal property are hereby increased: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sheriffs of Blair and Huntingdon counties shall, on every sale of personal property made by them, in addition to the fees now allowed by the fee bill, be allowed and entitled to charge, receive and take the following fees, to wit: Four dollars per day for each day actually employed by them, in said sale, three dollars per day for an auctioneer at said sale, and two dollars per day for each clerk that it may be necessary to employ: *Provided,* The proceeds of such sale shall exceed the sum of three hundred dollars.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 193.

An Act

To authorize the burgess and council of Oil City to levy an additional tax for street purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the town council and burgess of the borough of Oil City, Venango county, are hereby authorized to levy a tax, not exceeding fifteen mills, for street purposes: *Provided,* The same shall be necessary to make, and keep in repair, the streets of said borough.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 194.

An Act

To authorize the school directors of Downingtown school district, Chester county, to borrow money.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the directors of the school district of Downingtown, Chester county, for the time being, or their successors in office, be and they are hereby authorized and empowered to borrow any sum of money, not exceeding two thousand dollars, at a rate of interest not exceeding six per centum per annum, for the purpose of building a school house, or houses, for said district, and issue bonds therefor, in sums not less than one hundred dollars each; and that the said loan, which may be made in pursuance of this act, shall be exempted from taxation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 195.

A Further Supplement

To the act, entitled "An Act relating to the sale and conveyance of real estate," passed the eighteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all cases of sales, mortgages, leasing, and letting on ground rent, of any real estate authorized by the act to which this is a further supplement, when the trustees, executors, administrators, guardians, committees, or other persons authorized to make such sale, mortgage, or lease, shall reside out of the state where such real estate is situate, the deed, mortgage, or lease

thereof, may be acknowledged in the manner prescribed by the third section of the act of assembly, entitled "An Act relating to the authentication of letters of attorney, protest of notaries public, and assignments made out of the state, and to the acknowledgment of deeds," approved the fourteenth day of December, Anno Domini one thousand eight hundred and fifty-four: *Provided*, That such sale, mortgage, or lease, et cetera, be first approved by the court, when such approval is necessary.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 196.

An Act

Authorizing the courts of common pleas to compel the recording of deeds and other instruments of writing.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases in which any of the former owners, or any other person, or persons, shall have, in his or their possession, any bargains of sales, deeds, conveyances, or other instruments in writing, concerning any lands, tenements or hereditaments, in this commonwealth, he, or they, shall, upon six months' notice being given to him, or them, by the present owner of such premises, or by any other person, or persons, in any manner interested in any such bargains of sales, deeds, conveyances, or other instruments of writing, place the same upon record in the proper county, or deliver the same into the hands, or possession, of the present owner, if such application be made by him.

Recording of deeds and other instruments of writing required.

Courts authorized, upon petition, to grant a rule upon persons having deeds, &c., unrecorded.

SECTION 2. That the courts of common pleas of this commonwealth shall have power, upon petition and affidavit, setting forth that the petitioner believes that any person, or persons, has in his, or their, possession, any such bargains of sale, deeds, conveyances, or other instruments of writing, that the petitioner is the present owner of the premises, or that he is interested in such bargains of sales, deeds, conveyances, or other instruments of writing, and that six months' notice has been given to the defendant, or person, or persons, in whose

possession the same is, or are alleged to be, to deliver up, or record the same, to grant a rule upon such person, or persons, to show cause why the same should not be delivered up, or recorded; upon the hearing of said rule, unless the defendant, or defendants, in the same, show, to the satisfaction of the court, why the same should not be delivered up, or recorded, the said court are hereby authorized and required to decree and direct the said defendant, or defendants, to deliver up, or record, such bargain of sale, deeds, or conveyances, or other instruments, in said petition described; which decree shall be enforced by attachment. Decree to be issued.

SECTION 3. That the court may, in their discretion, order the costs of recording such deeds, or other instruments of writing, to be paid by the defendant, or by the party asking for such rule and decree, and make such further order, in regard to the costs of proceeding, as they may deem proper. Court to order payment of costs.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN

No. 197.

An Act

Authorizing Samuel Small, guardian of the minor children of William Coleman, late of the county of Lebanon, deceased, to sell certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Samuel Small, guardian of the estate of Robert H. Coleman and Anna C. Coleman, minor children of William Coleman, late of Lebanon county, deceased, be and is hereby authorized and empowered to sell, subject to the approval and confirmation of the orphans' court of Lebanon county, either publicly or privately, for such prices, and on such terms, as he may deem proper and advantageous, such parts of the real estate whereof the said William Coleman died seized, as he may deem proper, excepting only the whole of his estate and interest in the Cornwall ore banks and mine hills, situated in the aforesaid county of Lebanon, and his interest in the Corn-

Authorized to sell certain real estate.

Security to be
given.

May purchase
lands, &c., and
execute mort-
gage.

Proviso.

wall anthracite furnace estate, and the same, and every part thereof, to convey and assign to the purchaser, or purchasers, thereof, by good and sufficient conveyances and assurances, in law, for such estate, or estates, as the said William Coleman had and held, in the same, at, and immediately before, the time of his death: *Provided*, That no sale shall be made by the said Samuel Small, under, or by virtue of, this act, until he shall have given such security as the orphans' court of Lebanon county shall direct, for the faithful execution of the power committed to him, and of the due application, according to law, of the proceeds of such sale, or sales.

SECTION 2. That it shall and may be lawful for the said Samuel Small, the guardian of the said minor children of the said William Coleman, deceased, to purchase, when, and as often, as his judgment shall direct, and to mortgage the same for the purchase money, or part thereof, such lands and tenements, and interests, and estates therein, as he may think requisite, necessary for carrying on the furnace and iron works belonging in whole, or in part, to his said wards, and the same to pay for out of their money in his hands, and a deed, or deeds, in his own name, but in trust for the heirs and legal representatives of the said William Coleman, deceased, to take, and the said lands and tenements, interests and estates therein, or any part, or parts thereof, so by him purchased, again to sell, subject to the approval and confirmation of the orphans' court of Lebanon county, if, in his judgment, such sale will be advantageous to the interest of his wards, and the same to convey and assign to the purchaser, or purchasers, thereof, by good and sufficient conveyances and assurances in law: *Provided*, That no sale shall be made, or mortgage executed, by him, until he shall have given such security as the orphans' court of Lebanon county shall direct, for the faithful execution of the power committed to him, and for the due application, according to law, of proceeds of such sale or sales.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 198.

A Further Supplement

To an act, entitled "An Act to encourage manufacturing operations in the commonwealth," approved the seventh day of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act to encourage manufacturing operations in the commonwealth, approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, and of the supplement thereto, are hereby extended so as to embrace all companies hereafter formed, for the purpose of carrying on the manufacture and preparation of lubricating oil and material out of, and from, mineral oils, and any other oils, or fatty substances, whether mineral, animal, or vegetable.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 199.

An Act

To provide for the distribution of State documents among the different States of the Union.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state printer be authorized and required to furnish State print the state librarian with as many bound copies of the journals furnish Stat of the Senate and House of Representatives, and of the Legisla Librarian with tive and Executive Documents, as will be necessary to furnish certain docu each loyal state of the Union, that can be reached, with copies ments for distri of the same, and that the state librarian be required to send bution.

Proviso.

State Librarian
to furnish each
State and Cana-
da with Pur-
don's Digest.

To make report
of same to Le-
gislation.

one copy of each of the above publications to each of the states above designated, and also, one copy of the same to the province of Canada: *Provided*, That nothing herein contained shall authorize the re-printing of any such journals or documents as may have been printed heretofore.

SECTION 2. That the state librarian be authorized and required to procure, and pay for, from moneys in the state treasury not otherwise appropriated, as many copies of the latest edition of Purdon's Digest of the laws of Pennsylvania, as will be necessary to furnish each loyal state of the Union, and the province of Canada, with one copy of the same.

SECTION 3. It shall be the duty of the state librarian to report to the legislature, in his annual report, the number of the above books procured, and to which of the states they have been sent.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 200.

A Supplement

To an act incorporating the Madera and New Washington Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the Madera and New Washington Turnpike and Plank Road company shall be and the same is hereby reduced to five thousand dollars, with the privilege to increase the same to fifteen thousand dollars; and it shall be lawful for said company to pay interest not exceeding ten per centum per annum, on all moneys, paid in as stock, before the completion of said road, and after its completion, add the amount thus paid to the capital stock; and that said company shall have power to issue bonds to an amount not exceeding five thousand dollars, for moneys to be used in the completion of their said road.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE.

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 201.

An Act**To exempt from taxation the Moyamensing Institute.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate and library of the Moyamensing Institute, of the city of Philadelphia, situate at the south-east corner of Eleventh and Catharine streets, of the said city, be and the same is hereby exempted from taxation, except for state purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 202.

An Act**Entitled "An Act relative to the Lorberry Creek Railroad Company."**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That hereafter the number of directors of the Lorberry Creek Railroad Company shall be six, instead of twelve, as now required.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 203.

An Act

Supplementary to an act, entitled "An Act to incorporate the Allentown Railroad Company," approved April nineteenth, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the number of directors of the Allentown Railroad Company shall be six, instead of twelve, as now required.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 204.

An Act

Extending the time for the removal of the tracks of the Pennsylvania Railroad Company from a portion of Liberty street, in the city of Pittsburgh.

WHEREAS, By an act of the general assembly of Pennsylvania, approved the fifth day of April, Anno Domini one thousand eight hundred and sixty, entitled "An Act relative to the removal of the tracks of the Pennsylvania Railroad Company from a portion of Liberty street, in the city of Pittsburgh," the said railroad company was authorized to enter upon, and take possession of, the property abutting on said street, and as soon as conveniently may be thereafter, to remove the said track: *Provided*, That such removal shall be complete within three years after the passage of said act of assembly:

And whereas, The said Pennsylvania Railroad Company have purchased the said ground and property, but by reason of the impossibility of the tenants, and late owners, occupying the same, are unable to remove therefrom before the

first day of April, Anno Domini one thousand eight hundred and sixty-three; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the removal of the said track of said railroad from that portion of Liberty street, described in the first section of said act of fifth of April, one thousand eight hundred and sixty, be and the same is hereby extended until the first day of April, Anno Domini one thousand eight hundred and sixty-four.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

205.

An Act

Authorizing the State Treasurer to refund certain moneys to the county of Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and required to refund to the county of Jefferson, so much of the militia tax of said county, as has been paid into the state treasury since the passage of an act, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-two, appropriating the military tax to the relief fund of the several counties of this commonwealth.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 206.

An Act

To incorporate the Tincum Fishing Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the Tincum Fishing Company, in the county of Philadelphia, established in March, eighteen hundred and fifty-nine, being desirous to perpetuate the same, for the purpose of more effectually cementing the friendships which have been formed, the following named persons: Thomas H. Craige, Lewis Cooper, Robert H. Gratz, Martin J. Croll, William Hopper, Francis Hart, George W. M'Mahon, George Howell, Charles A. Rubicam, William H. Kern, Sylvester J. Magargee, Charles Gilpin, Jacob F. Alburger, John Lindsay, Edmund C. Markley, Evan Randolph, George Cuthbut, William G. Caldwell, David B. Birney, George Bullock, Edwin A. Hendry, William Millward, David S. Winebrenner, Nathan Haye, Washington L. Jermon, Hezekiah W. Arnold, Thomas M'Cullough, John Philbin, Henry Jones, and James S. Watson, being citizens of the commonwealth of Pennsylvania, and such others as they shall hereafter associate with themselves, being citizens of said commonwealth, are hereby erected into a body politic and corporate, by the name, style and title of the Tincum Fishing Company of Philadelphia, and by the same name, style and title shall have perpetual succession, and may purchase, take and hold, by gift, grant, demise, bargain and sale, devise and bequest, or by any other mode of lawful conveyance, any lands, tenements, goods, or chattels, real, personal, or mixed estate, and the same, or any part thereof, from time to time may sell, alien, convey and dispose of, and may have a common seal, which they may alter and renew at pleasure: *Provided always nevertheless,* That the clear yearly value, or income, of the messuages, houses, lands, tenements, rents, annuities, or other hereditaments, and real estate of the said corporation, and the interest of the moneys by them lent, shall not exceed the sum of one thousand dollars.

Corporators.

Title.

Privileges.

Seal.

Income.

Officers.

Elections.

By-laws.

SECTION 2. That the officers of the said corporation shall be a president, one vice president, a secretary and a treasurer, and such other officers as the said corporation may deem needful; the said officers shall be elected at an annual meeting to be held on the third Wednesday of October; if an election shall not take place on that day, the corporation, for that cause, shall not be dissolved, but an election shall be held as soon thereafter as possible, and until such election, the officers in place shall continue to act.

SECTION 3. That the duties and rights of the members of the said corporation, the powers and functions of the officers

thereof, hereinbefore mentioned, and of such others as may hereafter be added, the mode of supplying vacancies in office, the times of meeting of the said corporation, the number which shall constitute a quorum at any such meetings, the mode of electing members, the terms of their admission, the causes which shall justify their expulsion from the corporation, shall be regulated by the by-laws and ordinances of the said corporation, hereafter to be made, which the said corporation is hereby authorized and empowered to make, and alter, in the manner which may be therein mentioned: *Provided*, That the said by-laws, or ordinances, shall not be repugnant to, or inconsistent with, the constitution or laws of the United States, or of this commonwealth.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 207.

A Further Supplement

To an act to incorporate the Washington and Maryland Line Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company are hereby authorized to connect their road, or any part thereof, with any railroad, or railroads, which is, or are now, or may hereafter, be constructed in either Lancaster, Chester, York or Adams counties; and to construct branch or lateral railroads, to connect with manufacturing or mining establishments, or other works.

Authorized to connect with other roads and construct branches.

SECTION 2. That the said company are hereby authorized to borrow money, not exceeding one million of dollars, in accordance with the provisions, and subject to the restrictions, contained in the fourth section of a supplement to the act to which this a further supplement, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

May borrow money.

Name changed. SECTION 3. That hereafter the said company shall be known as the Columbia and Maryland Line Railroad Company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 208.

An Act

Relating to sheriff's sales in Susquehanna county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relating to sheriff's sales in Luzerne county," approved the eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one, be and the same are hereby extended to the county of Susquehanna: *Provided*, That said selection shall not be restricted to newspapers published at the county seat, but the said notices may be directed to be published in any papers in the county; anything in the act to which this is a supplement to the contrary notwithstanding; and if no such direction be given by the party, or his attorney, then the sheriff shall make the publication as heretofore.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 209.

An Act

Relative to the school house and property of the Sisters of the Holy Cross,
in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school house and property of the Sisters of the Holy Cross, in the city of Philadelphia, being number two hundred and forty-four, North Fourth street, be and the same is hereby exempted from all taxation, except taxes for state purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 210.

A Supplement

To an act, entitled "An Act to incorporate the Philadelphia Lying-in Charity for attending indigent females at their own houses," passed the seventh day of May, Anno Domini one thousand eight hundred and thirty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the objects of the Philadelphia Lying-in Charity for attending indigent females at their own houses, now are and are hereby declared to be, the providing for the furnishing, gratuitously, of competent medical and nursing aid, and necessary medicines and sustenance to indigent women, in obstetric cases, and in diseases peculiar to their sex, the proper education of students of medicine, and nurses in the practical duties of the lying-in chamber, and the maintenance of a "Home" for the residence of the nurses during pupilage, and thereafter, during the intervals between engagements in the duties of their calling.

Objects of the
association defined.

By-laws.

SECTION 2. That the said corporation is hereby empowered to adopt such a constitution, and to enact such by-laws, as may, in the judgment of the members thereof, best enable them to carry out the objects aforesaid: *Provided*, That said constitution and by-laws be not repugnant to the constitution and laws of the United States, or of this commonwealth.

Office of chairman abolished.

SECTION 3. That the office of chairman, in the said corporation, be and the same is hereby abolished.

Property exempt from taxation.

SECTION 4. That the real and personal estate, of the said corporation, be and the same is hereby exempted from taxation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 211.

Supplement

To an act, entitled "An Act to provide for the incorporation of boroughs," approved the first day of April, Anno Domini one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*. That whenever an application has been, or shall hereafter be, made, by the freeholders of any town, or village, in the commonwealth, for an act of incorporation into a borough, and the boundaries fixed by the petitioners shall embrace lands exclusively used for the purposes of farming, and not properly belonging to the town, or village, the courts of quarter sessions of the county, where such application is made, shall have power, at the request of the party aggrieved, to change and modify such boundaries, so as to exclude therefrom the land used for farming purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 212.

An Act

Relative to the Woman's Hospital of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the property, now owned and occupied by the Woman's Hospital of Philadelphia, be and the same is hereby released and freed from the payment of municipal taxes, whilst owned and occupied by said corporation as a hospital for the treatment of diseases of women and children.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 213.

An Act

Authorizing the sale of a certain lot of ground by the Society of Friends in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Peter Cleaver, Josiah Johns, E. K. Griffith, Ellis Lilly and Joseph H. Miller, the representatives, or committees, of the two divisions of the Society of Friends, be and they are hereby authorized and empowered to sell and convey, in fee simple, and by a clear deed of transfer, at public or private sale, as they may determine, that tract, or lot of ground, situated in West Pike Run township, in the county of Washing-

LAWS OF PENNSYLVANIA,

ton, known as the West Pike Run meeting house lot, with the appurtenances appertaining or belonging thereto.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 214.

An Act

Relative to the Roxborough Lyceum.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the property of the Roxborough Lyceum, situate in the Twenty-first ward of the city of Philadelphia, be and the same is hereby exempted from the payment of all municipal taxes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 215.

A Further Supplement

To the acts of assembly relating to auctions in the city of Lancaster, and other towns in this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the provisions of the act of assembly of the seventh of April, one thousand eight hundred and thirty-two, entitled "An Act regulating auctions in the city of Lancaster, and other towns in this commonwealth," and the provisions of the act of assembly of the sixth of April, one thousand eight hundred and thirty-three, entitled "A supplement to the act regulating auctions in the city of Lancaster, and other towns of this commonwealth," passed on the seventh day of April, eighteen hundred and thirty-two, be and the same are hereby extended to the borough of Strasburg, in the county of Lancaster.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 216.

An Act

Relative to the Columbia school district, in Lancaster county.

WHEREAS, Samuel Shoch, of Columbia, has proposed to donate Preamble.
to the directors of the Columbia school district the sum of five hundred dollars, for the purchase of books suitable for a library for the common schools of said district, on condition that the said directors will appropriate, for the use of the library, one of the apartments in the new school house, now being erected for the accommodation of the common schools of that district, and that the said directors would also raise, or annually appropriate out of their common school fund, not less than fifty dollars, for the purchase of additional books, and in addition thereto defray the expenses of a librarian, necessary light and fuel; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever said donation shall be paid to the said directors, they are hereby authorized and required to comply with the terms of this proposition, and on failure so to do, the money thus donated shall be forfeited and paid to the directors of the poor of Lancaster county, who are hereby authorized and empowered to sue for and recover the same, as debts of like amount are, or may be, by law recoverable, from the said Columbia school district, and appropriate the same to the use and

Directors to comply with the terms of a certain donation.

In case of failure, money to be appropriated to the poor.

benefit of the poor of the county, as money drawn therefrom is required to be appropriated.

Other donations may be accepted SECTION 2. That it shall be lawful for the school directors of said district to receive any other and all donations for the benefit of said library, which shall be applied only to the necessary expenses of said library, and the enlargement of its collection of books : *And provided further*, That the said school directors may establish rules and regulations, extending the use of said library to all such persons as will comply with their said rules and regulations, and pay such annual subscription as shall be fixed by said school directors or their successors.

Proviso.

Directors authorized to borrow money. SECTION 3. That the school directors of the borough of Columbia, in the county of Lancaster, and their successors, be and they are hereby authorized and empowered to borrow any sum, or sums, of money, for school purposes, not exceeding, in the aggregate, the sum of ten thousand dollars, at any rate of interest not exceeding six per centum per annum, and payable in ten years, or sooner, as the said directors shall determine ; and to execute bond, or bonds, in the name of the Columbia school district, under the hand and seal of the president of the board of directors, attested by the secretary thereof, and to secure the same by mortgage, or mortgages, executed as aforesaid, upon any real estate now belonging to, or that may hereafter be acquired by said district ; and said bonds shall be exempt from taxation, except for state purposes : *Provided*, That no bond shall be issued for a less sum than one hundred dollars.

Bonds and mortgages.

Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 217.

An Act

To authorize the Commissioners of Indiana county to sell and convey certain real estate.

WHEREAS, By indenture, dated the twenty-fourth day of January, in the year of our Lord one thousand eight hundred and eighteen, Conrad Rice, in pursuance of an act of assembly, approved the third day of March, Anno Domini one thousand eight hundred and twelve, sold and conveyed to the com-

missioners of Indiana county, certain lots of ground, for the use of the inhabitants of the town of Indiana, as a burial ground:

And whereas, That part of said land, that was designed and intended for the Lutheran congregation, has been divided by a public road passing over and through the same, leaving a small part of said ground on the west side of said road, which is not enclosed as part of the burial ground of said Lutheran congregation; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the commissioners of Indiana county be and are hereby authorized and empowered to sell and convey, for a fair price, that part of said lot designed and intended for said Lutheran congregation, lying and being on the west side of the public road leading from Indiana to Blairsville, and the purchaser, or purchasers, of said ground, shall have the same interest and title to said ground that the said Conrad Rice had in said premises: *Provided*, That the money arising from said sale, after deducting expenses of sale and conveyance, shall be paid over to the trustees of the Lutheran congregation, at Indiana, to be expended in repairing, and keeping in repair, said burial ground.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 218.

An Act

Relative to the perpetuation of testimony in cases of lost records.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the orphans' courts of the several counties of this commonwealth shall have the jurisdiction and powers of a court of chancery, so far as relates to the perpetuation of testimony in cases of lost or destroyed records of the orphans' court of any county in this commonwealth, whether such records were lost or destroyed before or after the passage of this act, and the same proceedings, orders, decrees and judgments shall be

had therein, *mutatis mutandis*, as in cases now authorized by law, and with the like effect; and when proved, such record shall have the same legal operation as the original record would have had: *Provided*, That in all cases the application to perpetuate testimony shall be made in the same court in which the record may be lost, or destroyed: *Provided also*, Where minors are interested, that notice of said proceeding shall be served upon said minors, and their guardian.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 219.

A Further Supplement

To the act incorporating the Duncannon, Landisburg, and Broad Top Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

Repeal of certain acts.

That from and after the passage of this act, all acts, or parts of acts, changing the name of the Duncannon, Landisburg, and Broad Top Railroad Company, incorporated by the act to which this act is a supplement, be in respect of such change of name, and they are hereby repealed.

Name changed.

SECTION 2. That from and after the passage of this act, the name of the said corporation shall be the South Pennsylvania Railroad Company, under which name, style and title the said corporation shall retain all its franchises, immunities and liabilities heretofore conferred, or imposed, by law.

Capital stock may be increased.

SECTION 3. That the president and directors of the South Pennsylvania Railroad Company may, for the purpose of completing their road, and its extensions, increase the capital stock of the said company in a further amount, not exceeding one hundred thousand shares.

JOHN CESSNA,
Speaker of the House of Representatives

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 220.

An Act

To authorize the Philadelphia, Germantown, and Norristown Railroad Company to sell certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Philadelphia, Germantown and Norristown Railroad Company be and they are hereby authorized and empowered to sell and dispose of, either at public or private sale, a certain lot of ground belonging to said company, situated between Master and Thompson, and Eighth and Ninth streets, in the Twentieth ward; and also, a certain lot of ground, the property of said company, situated on the east side of said railroad, in the Twenty-first ward, all in the city of Philadelphia, and to sign, seal, and deliver to the purchaser, or purchasers thereof, a good and sufficient deed, or deeds, of conveyance of said lots, in fee simple.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 221.

An Act

To exempt the Beallsville Cemetery, in the county of Washington, from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the cemetery of Beallsville, Washington county, be and

the same is hereby exempted from the payment of all taxes, except for state purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 222.

An Act

To repeal the ninth section of an act authorizing the laying out of a State Road from the borough of Orwigsburg, Schuylkill county, to intersect a public road leading from Easton to Mauch Chunk, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the ninth section of an act, entitled "An Act authorizing the laying out of a state road, from the borough of Orwigsburg, Schuylkill county, to intersect a public road leading from Easton to Mauch Chunk, and for other purposes," approved the tenth day of April, Anno Domini one thousand eight hundred and forty-six, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 223.

An Act

To incorporate the Jones and Nimick Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That A. M. Wallingford, W. K. Minick, Lawrence P. Hitchcock, Wallace Patrick, John F. Singer, James Vener, B. F. Jones, James J. Bennett, David Richey, N. Holmes, Alexander Speer, Richard Hoys, Alexander Nimick, J. H. Jones and Andrew Carnegie, of Allegheny county, and C. A. Miller, of Philadelphia, or a majority of them, be and they are hereby appointed commissioners to open books, after having given not less than ten days' notice thereof, in at least one newspaper published in the city of Pittsburg, receive subscriptions, and organize a company, under the name and style of the Jones and Nimick Manufacturing Company, and as such shall have power to take and hold lands, and real estate, in the county of Allegheny, not exceeding, in quantity, at any one time, twenty acres, and to erect thereupon such buildings, et cetera, as may be necessary to carry out the objects of the corporation, to manufacture iron and steel, also hardware, cutlery and agricultural implements, consisting wholly, or in part, of iron, and to store and traffic in such commodities as shall be necessary for the successful prosecution of their business.

Commissioners.

Powers and privileges.

SECTION 2. That the capital stock of said company shall be one hundred thousand dollars, divided into two thousand shares, of fifty dollars each, with the privilege of increasing the same to an extent not exceeding five hundred thousand dollars; and made capable in law to sue and be sued, implead and be impleaded; to have a common seal, and the same to alter at pleasure; to sell and convey their real estate, and to purchase, hold and sell, such personal property as may be necessary to promote the objects of the corporation.

Capital stock..

Seal.

May hold and sell real and personal property.

SECTION 3. That the affairs of said company shall be managed by a board of five directors, one of whom shall be president, who shall be chosen by the stockholders; the first election shall be held within sixty days after this act shall take effect, of which election public notice shall be given, at least two weeks, in one newspaper published in the city of Pittsburg; and subsequent elections at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock, having the required instalments paid in, shall entitle the holder to one vote, in person or by proxy: *Provided*, That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected; and in case of resignation, or death, of the president,

Election of directors.

Notice to be given.

Votes.

Former directors to act in case of failure to elect.

Vacancies.

or any director, the remaining directors shall elect a person to serve until the next annual election.

Stock transfer-
able.

Dividends.

SECTION 4. That the stock of said company shall be transferable agreeably to the by-laws which may be adopted by the directors; and the dividends may be declared and paid whenever the directors deem it advisable, but said dividends shall, in no case, exceed the amount of actual net profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall, severally, be liable to the corporation, in their individual capacities, for the excess so divided and paid; and the said company shall pay into the treasury of the state a bonus of two and one-half per centum on the capital stock hereby authorized, or any increase of the same, in three equal annual instalments, in lieu of any tax on dividend, the first whereof shall be paid within one year from the date of the issue of letters patent, herein provided for.

When this act
to take effect.

SECTION 5. That this act shall not take effect until one thousand shares shall have been subscribed for, and at least one-half of that amount has been paid in, of which a statement, containing the names of the subscribers, and the amount subscribed for by each, shall be given to the governor, to be filed in the office of the secretary of the commonwealth; whereupon the governor shall issue letters patent to said subscribers.

Letters patent.
Authorized to
issue bonds.

Mortgages.

SECTION 6. That the said corporation may issue bonds, and sell the same at their market value, notwithstanding it may be less than par; which bonds may be secured by mortgage of the real estate and franchises of the company; but no bonds shall be issued for a less amount than one hundred dollars.

Individual lia-
bility.

SECTION 7. That the stockholders shall be individually liable, jointly and severally, for debts due mechanics, workmen and laborers, employed by said company, and for country provisions furnished for said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be held individually liable for any such debt, unless sued for within six months after such debt shall have been contracted.

Proviso.

Reservation.

SECTION 8. That the legislature hereby reserves the right to amend, alter, and repeal this charter, at any time, in such manner, however, as that no injustice shall be done to the stockholders; and this charter shall extend for a period of twenty years.

Limitation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 224.

An Act

To lay out a State Road in Berks and Lancaster counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Levi W. Mentzer, and Samuel Eberly, of the county of Lancaster, and Andrew Kurr, of the county of Berks, be and are hereby appointed commissioners, to view and lay out, and mark a state road, commencing at blacksmith shop of Isaac Stout, on a road leading from Dauphin turnpike to Furnace road, and running from thence, with a view to the nearest and best route, to a point on a public road near the house of Jacob Gelsinger, in the township of West Cocalico, in Lancaster county. Commissioners.
Route.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after being sworn, or affirmed, before a justice of the peace, to perform the duties enjoined upon them by this act, with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground on the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ two chain carriers, at a per diem allowance not exceeding one dollar and fifty cents each, and one axe man, and one flag staff carrier, at a per diem allowance not exceeding one dollar and fifty cents each; and the said commissioners, respectively, shall receive a per diem allowance not exceeding two dollars, for each day necessarily employed in the discharge of the duties enjoined by this act; which shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county: *Provided,* That if any one of said commissioners perform the duties of surveyor, he shall receive an additional compensation of one dollar per day. Duties of com-
missioners.
Compensation.
Surveyor.

SECTION 3. That it shall be the duty of the commissioners to make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances, as they occur, with such other matters as may serve for explanation; one copy to be deposited in the office of the clerk of the court of quarter sessions in the respective counties of Berks and Lancaster, on or before the first day of June next, and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty-three feet, and to be made and repaired as all other roads, laid out by the courts, are made and repaired. Drafts.

Damages.

SECTION 4. That the commissioners shall appraise all damages, making due allowance for all advantages accruing to property through which said road may pass, and make out one report for that portion which may accrue in each of the said counties, and file said report in the office of the clerk of the court of quarter sessions; and said damages shall be paid by the treasurer, respectively, of the said counties, as damages are paid of all other roads laid out by the court.

Vacancies.

SECTION 5. That if any vacancy in the number of commissioners named occur, by death, or resignation, or otherwise, the same shall be supplied by the remaining commissioners selecting suitable persons to constitute a board of at least three members.

Duty of supervisors.

SECTION 6. That it shall be the duty of the supervisors of the several townships through which the said road may pass, upon notice given, to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 225.

A Supplement

To the act to secure the rights of married women, passed the eleventh day of April, Anno Domini one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true intent and meaning of the act of assembly to secure the rights of married women, passed the eleventh day of April, Anno Domini one thousand eight hundred and forty-eight, and the supplements thereto, are hereby declared to be, that no judgment obtained against the husband of any married woman, before or during marriage, shall bind, or be a lien upon her real estate, or upon any interest the husband may be entitled to therein as tenant by the *curtesy*.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 226.

An Act

To vacate a certain road in the borough of Millersburg, in the county of Dauphin.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Creek road, in the borough of Millersburg, running through G. W. Bower's land, the entire distance, be and the same is hereby vacated.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 227.

An Act

To accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges.

WHEREAS, By an act of congress, passed the second day of July, one thousand eight hundred and sixty-two, a grant of land was made to the several states and territories, which may provide colleges for the benefit of agriculture and the mechanic arts, equal to thirty thousand acres for each senator and representative in congress to which the states are respectively entitled, by the apportionment under the census of one thousand eight hundred and sixty, which act of congress requires that the several states, in order to entitle them to the benefit of the said grant, should, within two years from the date of said act, express their acceptance of the same:

And whereas, The legislature of Pennsylvania has already shown its high regard for the agricultural interest of the state, by the establishment of the Agricultural College of Pennsylvania, and by making liberal appropriations thereto; therefore,

Preamble.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Acceptance of the provisions of the act of Congress by the State.

That the act of the congress of the United States, passed the second day of July, one thousand eight hundred and sixty-two, entitled "An Act donating lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," be and the same is hereby accepted by the state of Pennsylvania, with all its provisions and conditions, and the faith of the state is hereby pledged to carry the same into effect.

Surveyor General to receive and dispose of land scrip.

SECTION 2. That the surveyor general of the state of Pennsylvania is hereby authorized and required to do every act and thing necessary to entitle this state to its distributive share of land scrip, under the provisions of the said act of congress, and when the said scrip is received by him, to dispose of the same, under such regulations as the board of commissioners, hereafter appointed by this act, shall prescribe.

Board of commissioners constituted.

SECTION 3. That the governor, the auditor general and the surveyor general are hereby constituted a board of commissioners, with full power and authority to make all needful rules and regulations respecting the manner in which the surveyor general aforesaid shall dispose of the said land scrip, the investment of the proceeds thereof in the state stocks of this state, and apply interest arising therefrom as herein directed, and in general to do all and every act, or acts, necessary to carry into full effect the said act of congress: *Provided*, That no investment shall be made in any other stocks than those of the United States, or of this commonwealth.

Their powers and duties.

Proviso.

Interest accruing from investment to be appropriated to the agricultural college.

SECTION 4. That until otherwise ordered by the legislature of Pennsylvania, the annual interest accruing from any investment of the funds acquired under the said act of congress, is hereby appropriated, and the said commissioners are directed to pay the same to the Agricultural College of Pennsylvania, for the endowment, support and maintenance of the said institution, which college is now in full and successful operation, and where the leading object is, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts.

College to make annual report of receipts and expenditures.

SECTION 5. That the said Agricultural College of Pennsylvania shall, on or before the first day of February, of each year, make report to the legislature of the receipts and expenditures of said institution, for the preceding year.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 228.

An Act

To extend the jurisdiction of justices of the peace to certain criminal proceedings in the county of Crawford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to change the mode of criminal proceedings in Erie and Union counties," with its several supplements, be and the same are hereby extended to the county of Crawford.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 229.

An Act

To extend the time for the payment of the enrolment tax on an act to incorporate the Dark Hollow New Hope Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time allowed by law for the payment of the enrolment tax on an act to incorporate the Dark Hollow New Hope Cemetery Company, and the supplement thereto, be and the same is hereby extended for a period of six months from the passage of this act; and the said supplement shall, upon the payment

of the enrolment tax thereon, within the said six months, be revived and continued in full force and effect.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 230.

An Act

Relative to the claim of John Loban.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the attorney general, auditor general and state treasurer, be and they are hereby authorized and required to examine the claim of John Loban, of Dauphin county, for damages which he sustained by the soldiers in "Camp Curtin" and "Camp Simmons," taking his vegetables, et cetera, and whatever amount, if any, they shall find due him, the state treasurer is hereby authorized and required to pay the same out of any moneys in the treasury not otherwise appropriated.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No 231.

An Act

To extend an act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain side-walks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of an act, entitled "An Act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain side-walks," approved sixteenth March, Anno Domini one thousand eight hundred and fifty-nine, be and the same are hereby extended so as to embrace the following streets in said borough, namely : Arch and Jacob streets, from Water street to Back street, and all that portion of M'Kean street, and the west side of Back street, lying between Arch and Jacob streets.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 232.

A Supplement

To an act relative to the collection of State and county taxes in the township of Maxatawny, in Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the sixth section of the act passed the twenty-fourth day of March, one thousand eight hundred and fifty-one, relative to the collection of state and county taxes of Greenwich and Maxatawny townships, Berks county, be and are hereby extended to Robeson township, in said county : *Provided, That the provisions of this supplement shall be of*

effect until from and after the next assessment of taxes in and for said township of Robeson.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 233.

An Act

To authorize the sale of a certain ground rent belonging to the escheated estate of Maria Boyle, deceased, late of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That T. Pratt Potts, the deputy escheator in the matter of the escheated estate of Maria Boyle, late of the city of Philadelphia, deceased, be and he is hereby authorized and directed to sell, in the manner provided by the fifth section of the act, entitled "An Act to declare and regulate escheats," passed twenty-ninth of September, one thousand seven hundred and eighty-seven, that certain yearly ground rent of sixty dollars, issuing and payable half yearly, on the first days of May and November, out of all that certain lot or piece of ground, situate on the east side of Seventh street, at the distance of thirty-one feet eight inches northward, from the north side of Thompson street, in the city of Philadelphia, fifteen feet eight inches front, and in depth sixty feet to a three feet wide alley, and on return of said sale being made, and the purchase money paid into the state treasury, a deed for the said ground rent shall be made to the purchaser, as provided by the act aforesaid, in other cases of sales of escheated real estate.

Deputy escheator authorized to sell.

Costs and commission to be paid by State.

SECTION 2. That all necessary costs and expenses of said sale, and a commission of ten per cent. to the said deputy escheator on the amount thereof, shall be allowed by the accounting officers, and paid by the state treasurer, to the said deputy escheator, on warrant drawn by the auditor general.

Rights of parties not to be affected by sale.

SECTION 3. That the rights of all persons who shall claim and maintain their right, by law, to the proceeds of said ground rent, shall be reserved and protected as though the said sale

thereof had been deferred until after the lapse of seven years after the holding of the inquisition in escheat thereon.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 234.

An Act

To incorporate the Philadelphia Military College.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the Philadelphia Military College, and such other persons as may hereafter become associated with them, shall be and they are hereby declared to be a body politic and corporate, by the name, style and title of the Philadelphia Military College; to have perpetual succession, to sue and be sued, plead and be impleaded, in all courts of record, and elsewhere; to have and use a common seal, and break, alter and renew the same, at pleasure; to take, hold, receive and enjoy lands, tenements and hereditaments, to them and their successors, and generally do all other acts, and enjoy all other powers and privileges incident to similar corporations, under the laws of this commonwealth.

Name.

Seal.

Privileges.

SECTION 2. The objects of the said corporation shall be the promotion and encouragement of military pursuits, and they shall be empowered to devise, adopt and execute all such measures as they may deem proper and expedient for the accomplishment of these objects.

Objects.

SECTION 3. That the said corporation shall have full power and authority to make such rules and by-laws as they shall consider necessary for the regulation and government of said corporation, and promotion of its interests, and to alter, add to and amend the same, in such manner as they may deem expedient: *Provided*, That no rule, or by-law, as aforesaid, shall be repugnant to, nor inconsistent with, the constitution or laws of the United States, or of this commonwealth.

By-laws.

Proviso.

SECTION 4. That the officers of said corporation shall be a president, vice president, corresponding secretary, recording

Officers.

Elections

secretary, treasurer, and such other officers as the said corporation shall deem expedient, and shall, from time to time, create; the said corporation shall have power, also, to abolish any of said officers which they shall, at any time, consider useless and unnecessary; the said officers shall be elected at such times, and in such manner, as the constitution and rules of said corporation may direct; and if an election shall not be held at the time appointed for that purpose, the corporation shall not, for that cause, be dissolved, but an election shall be held as soon afterwards as may be, and until such election, the officers in place shall continue to act; the present officers of the said college are hereby constituted the officers of the corporation hereby created, and shall continue to hold their respective offices in accordance with the provisions of the constitution.

Misnomer.**Proviso.**

SECTION 5. No misnomer of said corporation shall defeat, or annul, any gift, grant, conveyance, devise, or bequest, to or for the use of said corporation: *Provided*, It shall appear, upon the face of the instrument, that it was the intention of the party, or parties, making or executing the same, that the estate, or interest, therein mentioned, should pass to said corporation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 235.

An Act

For the relief of John A. Nash, treasurer of Huntingdon county.

WHEREAS, By an act, entitled "An Act appropriating the military tax of the several counties of the commonwealth to the relief fund of said counties," approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-two, it is provided, that from and after the passage of said act, the military tax, collected in the several counties of this commonwealth, except the city of Philadelphia, be appropriated and applied to the relief fund, for the benefit of the families of volunteers in said counties, and to be paid over as directed by said act:

And whereas, John A. Nash, the treasurer of Huntingdon county, did, by mistake, pay into the state treasury, on the

ninth day of January, Anno Domini one thousand eight hundred and sixty-three, two hundred and fifty dollars, military tax, the whole, or a part, of which should have been appropriated and applied to the relief fund of said county, and paid on the orders of the commissioners of the relief fund, and not into the state treasury; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer and auditor general be and they are hereby directed to examine into and ascertain if any, and how much, of said sum of two hundred and fifty dollars, so as aforesaid paid into the state treasury, was collected since the eighth day of April, one thousand eight hundred and sixty-two, and applicable to the relief fund of Huntingdon county, and certify the same to the state treasurer, and the state treasurer is hereby authorized and directed to pay to John A. Nash, as treasurer of Huntingdon county, for the use of the relief fund of said county, whatever sum of money shall be by the said state treasurer and auditor general certified to have been paid by mistake, as aforesaid, into the state treasury.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE.

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 236.

An Act

To settle and pay the claim of John P. Ashcom.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to John P. Ashcom, of Bedford county, out of any money in the treasury not otherwise appropriated, the sum of seven hundred and eighty-four dollars and sixteen cents, for services, clothing, forage and subsistence of the said John P. Ashcom, as surgeon in the one hundred and sixteenth regiment, Pennsylvania volunteers; and for services, clothing, forage and subsistence of two servants, provided by him in said service: *Provided however,* That before this payment shall be made, the said John P. Ashcom shall produce, and file

LAWS OF PENNSYLVANIA,

with the state treasurer, a certificate from the surgeon general and adjutant general of this commonwealth, to the effect that the said claim is just, and to what extent it is just; and in case they should certify to a less amount than is herein specified, then the state treasurer shall pay no more than is so certified.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Dmoini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 237.

A Supplement

To an act, entitled "An Act for the protection of Sheep in certain counties," approved the eighth day of April, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Mercer county shall hereafter levy, and cause to be collected, the following tax, from persons owning, or possessing dogs, in the said counties, to wit: from every person owning, or possessing one dog, fifty cents; and for every additional dog kept about the same house, one dollar; to be assessed, collected and appropriated, in accordance with the provisions of the act to which this is a supplement.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 238.

An Act

Relating to livery stable keepers in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, any damages wilfully done to the property of any livery stable keeper in the county of Allegheny, while in the custody or possession of any bailee, or bailees, to whom the same may have been hired, shall be taken and deemed to be a misdemeanor, punishable by fine, at the discretion of the court of quarter sessions, or by imprisonment in the common jail of said county, for a period not exceeding thirty days. •

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 239.

An Act

To change the limits of the Schellsburg school district, in Bedford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the farms of John Williams, James P. Williams, Charles Williams, B. F. Williams and Edmund Garlinger, in Napier township, Bedford county, be and the same are hereby annexed to the borough of Schellsburg, for school purposes; and the persons aforesaid, and all others, who may hereafter occupy said real estate, shall have the privilege of sending their children to the public schools which shall or may be kept in said borough of Schellsburg, the same as though they were residents of said borough; and all taxes levied or assessed upon

said real estate, for school purposes, shall be paid over to the treasurer of the school board of Schellsburg borough, and hereafter such real estate shall be taxed for school purposes by the proper officers of said Schellsburg borough.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 240.

An Act

To exempt from taxation the Spring Garden and Moyamensing Literary Institutes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate and library of the Spring Garden Institute, situate at the north-east corner of Broad and Spring Garden streets, and the Moyamensing Literary Institute, in the city of Philadelphia, be and the same are hereby exempted from taxation, except state tax.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 241.

Supplement

To an act to erect a Poor House for Texas township, and the borough of Honesdale, in Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all property, both real and personal, which is now owned, or may be hereafter owned, by the directors of the poor of Texas township, and the borough of Honesdale, in their corporate capacity, be and the same is hereby exempted from all county, township, borough, road, poor and school tax, and from all and every tax whatsoever; and all taxes heretofore assessed on said property shall not, hereafter, be collected, but the respective officers, charged with the collection thereof, are hereby exonerated from the collection, and paying over, of the same: *Provided,* That the provisions of this act shall not extend to any tax for state purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 242.

An Act

To repeal the sixty-third section of the act of thirteenth June, one thousand eight hundred and thirty-six, entitled "An Act relating to executions," so far as the same relates to the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the sixty-third section of the act of the thirteenth day of June, one thousand eight hundred and thirty-six, entitled "An act relating to executions," as requires the sheriffs to give notice of sales in one newspaper in the German lan-

guage, be and the same is hereby repealed, so far as the same relates to the county of Cambria.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 243.

An Act

For the protection of owners of Wharves or Landings in the borough of Oil City, Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Owners of wharves or landings authorized to charge boats, &c., for wharfage.

That the owners of wharves, or landings, on the Allegheny river, and Oil creek, in the borough of Oil City, in the county of Venango, shall have a lien, for the reasonable charges, or wharfage, on all boats, barges, flats and other vessels, and their cargoes, landing, or mooring at, or in front of, such wharves, or landings, whether such boats, barges, flats, or other vessels be attached, fastened, or moored mediately, or immediately, to the shore; and all such boats, barges, flats, or other vessels, shall be held and construed to be in the possession of the owner, or owners, of the wharf, or landing, at, or in front of which, they may be moored, until the charges, or wharfage aforesaid, be paid: *Provided*, That the owner, or owners, of such wharf, or landing, shall not be responsible for the safe-keeping of such boats, barges, flats, or other vessels: *And provided also*, That the charges, or wharfage aforesaid, shall not exceed the several amounts following: for each day, or fraction of a day, that is to say, for each and every boat, barge, flat, or other vessel, not exceeding one hundred feet in length, twenty-five cents; for each and every boat, barge, flat, or other vessel, exceeding one hundred feet in length, fifty cents.

Proviso.

Rates.

Penalty for removal of boats, &c., without payment of charges.

SECTION 2. That after demand for such wharfage shall be made at such wharf, or wharves, by the owner, or owners thereof, his, or their agent, it shall not be lawful for any person, or persons, to remove any boat, barge, flat, or other vessel, from any wharf, or landing, until the charges, or wharfage aforesaid, have been paid, without the consent of the owner, or owners, of such wharf, or landing, under the penalty of

twenty dollars, to be sued for, and collected, in a suit before any justice of the peace, as debts of like amount are now, by law, recoverable, and to be appropriated to the owner, or owners, of such wharves, or landings, aforesaid; and it shall be lawful for the owner, or owners of the wharf, or landing, at, or in front of, which the same may be landed, or moored, to collect his, or their, wharfage, by distress and sale of such boat, barge, flat, or other vessel, and its cargo, in the manner practiced and allowed for the collection of rents. Collection of wharfage.

SECTION 3. That the owners of the wharves, or landings aforesaid, shall have full authority to open passages from the shore to the channel of the stream, by removal of any boat, barge, flat, or other vessel. Opening of passages to channel

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 244.

An Act

To incorporate the Hopewell and Pattonsville Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George R. Barndollar, Joseph B. Noble, Daniel M. Bare, John Fulton, James Eichelberger, Thomas W. Horton, John F. Lowry, Abraham Steel, George Wishart, James Price, Jas. E. Kay, C. W. Ashcom, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Hopewell and Pattonsville Turnpike and Plank Road Company, with power to construct a turnpike or plank road from Hopewell, in Bedford county, to Pattonsville, in said county; the bed of said road to be graded eighteen feet wide, and stoned or planked ten feet, subject to all other provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, not inconsistent with the provisions of this act. Commissioners.
Route.
Subject to.

SECTION 2. That the capital of the company shall consist of three hundred and eighty shares, of twenty-five dollars each : Capital.

Proviso. *Provided*, That the company may, from time to time, at a meeting of the stockholders, called for that purpose, increase the capital stock to such an amount as, in their opinion, may be required to complete the same.

Subscription to stock. **SECTION 3.** That the Huntingdon and Broad Top Mountain Railroad Company shall have power to subscribe to the stock of said company.

When road to be commenced and completed. **SECTION 4.** That if the said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within six years, this act shall be null and void, except so far as may be necessary to wind up the affairs of said company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 245.

A Supplement

To an act incorporating the borough of Beallsville, Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the limits of the borough of Beallsville be and are hereby extended; so as to include the farms of James Thompson, John M'Dunkin and Daniel Flick.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 246.

An Act

For preservation of certain records in the county of Franklin.

WHEREAS, Many of the drafts in the county surveyor's office, of the county of Franklin, in this commonwealth, have become torn, defaced and otherwise injured :

And whereas, It is desirable that some provision be made for the better preservation of said drafts in the future ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the commissioners of said county of Franklin, to procure a book, or books, and cause to be copied therein, by the county surveyor, all such worn or defaced drafts, and have the same properly indexed ; for which service the county surveyor shall receive the sum of fifty cents, out of the county treasury, for each draft so copied as aforesaid.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 247.

An Act

Relative to assessing taxes in the borough of Mauch Chunk, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Mauch Chunk be and the same are hereby authorized to increase the annual rate of taxation from one-half cent on the dollar, on the valuation assessed for county purposes, to a rate not exceeding eight mills on the dollar, of the valuation aforesaid, for the years

Increase of rate
of taxation au-
thorized.

one thousand eight hundred and sixty-three, one thousand eight hundred and sixty-four, and one thousand eight hundred and sixty-five.

Election of
councilmen.

SECTION 2. That the citizens, qualified electors of said borough, instead of electing a chief burgess and five town councilmen, as heretofore, shall, at the first borough election hereafter, elect six councilmen, two thereof to serve one year, two others to serve two years, and the remaining two to serve for three years; and every year thereafter there shall be elected two town councilmen, who shall serve for the term of three years; and the borough council shall, at the first meeting after the election, appoint one of their number to be chief burgess of said borough for one year, and until his successor shall be appointed; and in case of death, resignation, or removal of any one, or more, of the town councilmen, the board shall have power, by appointment, to fill the vacancy, until the next annual election, when the unexpired term shall be filled.

Chief burgess.

Vacancies.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 248.

An Act

To authorize the road commissioners of Summit township to erect a house for the use of said township, and to levy and collect a tax to pay the expense thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Erection of
house for town-
ship purposes
authorized.

That the road commissioners of Summit township, in the county of Erie, are hereby authorized to build, in such central place in said township, as they may select for that purpose, such a house as, in their discretion, they shall deem proper and necessary, for the purpose of holding therein the elections for said township, and transacting the necessary business pertaining to the interests of said township, and to finish and furnish the same in such manner as they shall deem proper; which, when so built and furnished, shall be owned, held and controlled by said commissioners, in trust for the use of said township, for the purposes aforesaid: *Provided*, That the costs of said building shall not exceed the sum of five hundred dollars.

Cost.

SECTION 2 The said road commissioners are hereby authorized to assess a tax upon the real and personal estate, in said township, subject to county rates and levies, and upon all persons resident therein, liable to a poll tax, as now provided by law, sufficient to pay the cost of erecting and furnishing said building, as provided in the first section of this act, and for the cost of collecting and paying out said tax, and to make out a duplicate therefor to the collector of said township, and issue a warrant under their hands and seals, authorizing said collector to collect the same in the manner now provided by law for the collection of county rates and levies; which tax, when collected, shall be paid to the treasurer of said township, and paid out by him, on the orders of said road commissioners, for the purposes aforesaid, and for no other purpose whatever.

Tax to be assessed for payment of the same.

Collection of.

SECTION 3. The commissioners aforesaid shall have power to exonerate the said collector from the collection of said tax, levied upon the property of such indigent persons, as they may think just and equitable.

Exonerations.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 249.

An Act

To provide for the collection of certain taxes in the school district of Wharton, in the county of Potter.

WHEREAS, The school directors of Wharton school district, in the county of Potter, Anno Domini one thousand eight hundred and sixty-one, levied a tax for school purposes, of ten mills on the dollar of the assessed valuation in said school district:

And whereas, The proper officers of the school board, in said district, neglected to return that portion of said tax assessed upon unseated lands, for collection, to the commissioners of said county, within the time required by law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proper officer of the board of school directors, in said Wharton school district, is hereby authorized to return that

portion of said tax yet remaining unpaid, assessed upon unseated lands, to the commissioners of said county of Potter, on or before the first day of June next; which return shall be held and deemed as valid as though made within the time provided by law, and which tax shall be collected in the manner provided, by law, for the collection of unseated taxes in this commonwealth.

JOHN CESSNA,
Speaker of the House of Representatives.
GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 250.

An Act

Relating to a certain highway in Norriton township, Montgomery county.

Preamble.

WHEREAS, It has been represented by a petition of citizens of Norriton township, Montgomery county, that a certain toll-house, belonging to the Germantown and Perkiomen turnpike company, is an obstruction, and is also injurious to private property in the vicinity in which it is located; therefore,

Certain toll-house to be removed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the president and directors of the Germantown and Perkiomen Turnpike Company be and they are hereby required to remove, or cause to be removed, the toll-house number eight, located between the eighteenth and nineteenth mile-stones, on said turnpike, at a point called Norritonville.

Penalty for failure to remove the same.

SECTION 2. That said company be obligated, and are hereby required, to remove, or cause to be removed, said toll-house number eight, within sixty days after the passage of this act, under a penalty of fifty dollars, monthly, thereafter; said penalty to be collected, upon the proper affidavit of any one citizen of the township, before a justice of the peace; and the said moneys, so accruing, shall be vested in the school fund of the said township.

Appropriation of.

JOHN CESSNA,
Speaker of the House of Representatives.
GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 251.

A Supplement

To an act, entitled "An Act to authorize the erection of a poor house by the borough of Dunmore, borough of Scranton, and township of Providence, in the county of Luzerne," approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the ninth section of the act to which this is a supplement shall be so construed as not to authorize the directors, in their official capacity, to furnish assistance and afford relief to any poor person, or persons, without requiring such poor person, or persons, to be removed to, and kept at, said poor house, excepting such cases where the applicants for relief are the wives, or the children, of soldiers in the actual military service of this state, or of the United States, and excepting, also, cases where the applicant, or applicants, are afflicted with any contagious disease, or where, from actual sickness, or otherwise, it shall be absolutely impossible to remove them to the said poor house.

Construction of a certain section in the original act.

SECTION 2. That no person shall be eligible to, nor be appointed to, the office of steward, by the said directors, except he shall be a practical farmer; and the compensation of the steward, during any one year, shall not exceed the sum of three hundred dollars, while that of any director, during the same period, shall not exceed the sum of twenty dollars.

Eligibility and compensation of steward and directors.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 252.

An Act

Relating to the collection of Dog Tax in the borough of West Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the burgess, and assistant burgess, of the borough of West Chester, in the county of Chester, may appoint a separate collector of dog tax, who shall collect the same at such time as they may direct.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 253.

An Act

To provide for the erection of a Poor House in certain townships in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That William R. Storrs and Richard E. Gilbert, of Asylum township; Guy Irvine and Samuel C. Nagly, of Monroe; Elias W. Hale and H. Lawrence Scott, of South Towanda township, all in Bradford county, be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, as soon, after the passage of this act, as practicable, to determine upon, and with the assent of the court of quarter sessions of Bradford county, purchase such real estate, within the bounds of said townships, as may be proper and necessary for the support of the poor of such townships aforesaid; and it shall be lawful for said commissioners to take and receive proper conveyance, in the name of the corporation mentioned in

Powers and duties.

the second section of this act, and upon the receipt of said conveyance to execute, in the name of the said corporation, and deliver to the vendee, or vendees, bonds, or mortgages, upon such real estate, to secure the payment of so much of the purchase money as shall then remain unpaid; and also, to erect thereon suitable buildings for the accommodation and keeping of the poor of said townships; and they are also authorized and empowered to borrow such sum, or sums, of money, as may, in their opinion, be advisable and necessary, not exceeding six thousand dollars, to be used in the payment of the expense of purchasing said real estate, and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.

SECTION 2. That the said William R. Storrs, Richard E. Gilbert, Guy Irvine, Samuel C. Nagly, E. W. Hale, and H. Lawrence Scott, be and are hereby constituted directors of the poor in the townships aforesaid, until successors are appointed and qualified as hereinafter provided, and they, and their successors in office, are hereby created a body politic and corporate, in law, to all intents and purposes whatsoever, relative to the poor of said townships, and shall have perpetual succession, by the name, style and title of the directors of the poor of Asylum, Monroe and South Towanda townships, and by that name may sue and be sued, plead and be impleaded, receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of three thousand dollars, to erect, and keep in proper condition, suitable buildings for the reception, use, accommodation and employment of the poor of said townships, and to provide all things necessary for the lodging, maintenance and employment of the poor of the said townships.

SECTION 3. That the said William R. Storrs, Richard E. Gilbert, Guy Irvine, Samuel C. Nagly, Elias W. Hale and H. Lawrence Scott, shall continue in office, as directors, until the second annual January election after they shall have entered upon their duties, under this act, at which time, the qualified electors of the townships, associated under this act, shall elect three persons to serve as directors of the poor of said townships, one to serve for one year, one for two years, and one for the term of three years, and annually thereafter for the term of three years; and the judge, inspectors and clerks of each election district where such director, or directors, are legally voted for, shall make out a complete return of all votes given for that office, and the judges of all such election districts shall meet at the poor house, on the first Monday after said election, and then add together the number of votes given for each person voted for, and make out the returns, complying, in all respects, with the provisions of existing election laws, and, after the performance of said duties, appoint one of their number, by consent, or lot, to deliver the full returns to the court of quarter sessions of Bradford county, in the same manner now provided, by law, for making township returns; and also, to notify the person, or persons elected, by delivery of a written certificate of election, signed by said judges of election, to the person, or persons, elected; and said judges shall be paid one dollar per day, each, for time so spent, out of the pro-

Commissioners constituted directors of the poor until election.

Incorporation.

Style.

Privileges.

Election of directors.

Returns, how made, &c.

Certificates of election.

Compensation of return judges.

Court to fill vacancies in office of directors. per funds of the corporation created by this act: *Provided*, That any vacancy in said office, by resignation, or otherwise, shall be filled by the court of quarter sessions of Bradford county, until the next ensuing election of directors, when the said vacancy shall be filled, by election, under the limitations aforesaid.

Oath. **SECTION 4.** That the said directors shall, before entering upon the duties of their office, be duly sworn, or affirmed, to faithfully discharge the duties of their office; and the persons herein appointed commissioners shall, as soon as they think proper after the passage of this act, appoint a treasurer, superintendent, collector of taxes for poor purposes, and such other assistants as they may deem necessary, who shall serve for one year, and until successors are appointed and qualified, unless sooner removed by said directors; and on the second Monday in the month of January, in each year thereafter, the persons, who shall, at such times, be directors, or a quorum of them, shall appoint a treasurer, a collector of poor taxes, a steward, or manager of such poor house, a physician, and such other assistants as they may deem necessary, to serve for one year, and until their successors are appointed and qualified, unless sooner removed by said directors; and any such collector, before entering upon the duties of his office, shall give bonds to said corporation, with sufficient security, to be approved by said directors, or a quorum of them, and in such sum as said directors shall require, conditioned for the faithful performance of his duties; and any such treasurer, before entering upon the duties of his office, shall give bond to said corporation, with sufficient security, to be approved by said directors, or a quorum of them, and in such sum as said directors may direct, conditioned for the faithful discharge of the duties of his office, and at the expiration thereof, for the payment and delivery over to his successor in office of all moneys, bonds, notes, book accounts, papers, books and documents, to the said corporation belonging, which shall then be remaining in his hands; and any of said officers or assistants, so as aforesaid appointed by said directors, may be removed by said directors, whenever they may see fit, and the vacancies occasioned by such removal, or by the death or resignation of any of such officers or assistants, shall be filled by said directors; and said directors are hereby empowered to bind out, as apprentices, such poor children as may now be bound apprentices by the overseers of the poor: *Provided*, That such apprenticeship shall expire, in the case of males, at or before the age of twenty-one years, and in the case of females, at or before the age of eighteen years: *And provided further*, That no child shall be bound a greater distance than thirty miles from the poor house; and every child, bound as aforesaid, shall have not less than three months schooling, in each and every year; and said directors shall exercise and enjoy all other powers now vested in the overseers of the poor, as are not herein granted or supplied; and they are hereby empowered to use one common seal in all business relating to said corporation, and at their pleasure may alter and renew the same.

Appointment of officers.

Collector and treasurer to give bonds.

Vacancies.

Apprentices.

Proviso.

Proviso.

Directors to exercise the powers of overseers
Seal.

Tax to be levied for poor purposes.

SECTION 5. That said directors, a majority of whom shall constitute a quorum for the transaction of any business, shall

have power, annually, and before the first day of April in each year, to lay a rate, not exceeding ten mills on the dollar, at any one time, upon all real and personal estate, property, or things in said townships, now subject to taxation for poor purposes, for defraying the expenses of purchasing said farm and erecting said buildings, or preparing buildings for the accommodation of said poor, and stocking said farm, and furnishing said buildings with all things necessary, until such expense shall have all been paid; said rate shall be the same rate per centum in said townships, and shall be levied upon the basis of the then last adjusted valuation made for regulating county rates and levies; and having caused a fair duplicate, of such rate by them laid, to be made, which shall be signed by them, or a quorum of them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand and receive, and collect, from every person therein named, the sum wherewith such person stands charged, in the manner, and by the same process, as poor taxes are now by law collectable: *Provided*, That the tax hereby authorized to be laid, levied and collected, shall not, in any one year, exceed in amount the one-sixth part of the sum expended, or indebtedness incurred, in purchasing said real estate or farm, and erecting said buildings, or preparing buildings for the accommodation of said poor, and stocking said farm, and furnishing said buildings with all things necessary as aforesaid.

Assessment and collection of.

Limitation.

SECTION 6. That said directors shall, annually, and before the first day of April in each year, make an estimate of the probable expense of supporting and maintaining the poor of said townships for the ensuing year, and also an estimate of the probable cost of improving said farm, keeping said buildings in repair, and of insuring the property belonging to said corporation for the ensuing year; and shall, annually, and before the first day of April in each year, lay a rate sufficiently large to raise the sum required for the support and maintenance of said poor, and for the improving of said farm, repair of said buildings and insurance of said property, for such ensuing year, upon all real and personal estate, property or things, in said township and borough, now subject to taxation for poor purposes; said rate shall be the same rate per centum in said townships, and shall be laid upon the basis of the then last adjusted valuation, made for regulating county rates and levies; and having caused a fair duplicate, of such rate by them laid, to be made, which shall be signed by them, or a quorum of them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand and receive, and collect from every person therein named, the sum wherewith such person stands charged, in the same manner, and by the same process, as poor taxes are now by law collectable.

Directors to make, annually, estimates of expenses.

Rate of taxation

Collection.

SECTION 7. That said directors shall, or a quorum of them, as soon as they shall have provided suitable buildings for the accommodation of said poor, file in the office of the clerk of the court of quarter sessions of Bradford county, a certificate setting forth that such buildings are ready for the reception of said poor; said certificate shall also contain a statement of the real estate purchased, together with a description of the build-

Certificates to be filed in office of clerk of court when buildings completed, &c.

- ings thereon, and the price paid, or agreed to be paid, for said real estate, together with the terms and times of payment, and the costs of erecting and fitting up said buildings; and said directors shall thereupon give notice to the overseers of the poor of said township, of their readiness to receive and accommodate the poor thereof; and said overseers are required, immediately thereafter, to furnish said directors with the names of persons, who are a charge upon said townships respectively, or receiving relief therefrom, with the place of residence of each, and the said directors shall thereupon cause such poor person, or such of them as they shall think expedient, to be removed to the building, so as aforesaid provided, and thereafter to be kept, lodged and maintained therein, so long as such person shall continue a charge upon said township, or borough; and no person who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief or support from said directors, or from said townships, during the time of such refusal: *Provided however*, That said directors may, if they think proper, furnish assistance and relief to any poor person, without requiring such person to be removed to and kept in said poor house.
- Notice to overseers.** SECTION 8. That said directors are hereby authorized to provide work and employment for such poor persons, as may be able to perform, or pursue such work, or employment; and if any poor person, unless unable by reason of age, infancy, disease, or other disability, shall refuse to perform such reasonable labor, or service, as shall be allotted to, or required of, him, or her, by said directors, or by the steward, or manager of such poor house, such person shall not be entitled to, or receiving any relief, or assistance, during the time such refusal shall be persisted in, and shall, immediately upon such refusal, be discharged from said poor house.
- Their duties.** SECTION 9. That the overseers of the poor of said townships shall, as soon as notified by said directors, as provided in the ninth section of this act, cease to act as overseers of the poor in said township and borough, except so far as may be required to settle and close their accounts as overseers, or levy and collect such tax, as may be necessary for the payment of outstanding debts against their respective townships, for the support and maintenance of the poor.
- Removal of poor.** SECTION 10. That said directors are hereby empowered to make and ordain such rules and regulations, as they shall think proper and necessary for the direction, government and support of said poor house, and the revenues thereunto belonging, and of all such persons as shall come under their cognizance: *Provided*, That the same shall have first received the approbation of the court of quarter sessions of Bradford county, and shall not be repugnant to this act, or to any law of this state, or of the United States.
- Proviso.** SECTION 11. That if any person, applying for relief, or residing in said poor house, shall refuse to make oath, or affirmation, touching his, or her, place of legal settlement, or touching his, or her, property and circumstances, or shall refuse to answer any question, touching the same, that shall be asked of him, or her, by any of said directors, said directors may refuse
- Work to be performed by inmates.**
- Office of overseer, when to cease.**
- Rules and regulations.**
- Proviso.**
- Applicants for relief to make oath.**

to extend relief to, or may withhold further relief from, such, until he, or she, shall consent to take such oath, or affirmation, and answer all such questions; and if any such person, upon taking such oath, or affirmation, shall wilfully and knowingly answer any such question falsely, or shall make any false statement concerning the subject matter of such oath, or affirmation, such person shall be subjected to the same pains and penalties as are, by the laws of this commonwealth, visited and inflicted upon persons guilty of perjury.

SECTION 12. That the steward, or manager, of said poor house, shall have, under the direction of said directors, and subject to such regulations as shall be made by them, the control and management of the poor persons residing in said poor houses, and shall superintend and direct the work and employment about which they may be engaged; said steward shall not expend any money, or create any indebtedness, by the purchase of any article, or thing, on account of, or for the use of, the property, or persons, under his control and management, unless the same be authorized, in writing, and signed by at least two of said directors; and said steward is hereby required, yearly, on the second Monday in February, in each year, and whenever said directors may require, to furnish, to said directors, a statement of the income of said real estate, as nearly as the same can be done; also, the amount of expenditures made by him, under the order of said directors, setting forth the particular sources and amounts of such income, and the items and dates of such expenditures, and shall furnish his vouchers for the same; he shall also, in said statement, set forth the amount and kind, and, so far as he can ascertain, the value of the various kinds of personal property then on hand, the number and names of persons admitted to, and discharged from, said poor house, during the year, or from the time of his last statement, the length of time each person remained, the age, nativity and sex of each, and the place of the settlement of each person, at the time such person was received: *Provided*, That before such steward, or manager, shall enter upon the duties of his office, he shall give bond to said corporation, with sufficient security, to be approved by said directors, or a quorum of them, and in such sum as they shall direct, conditioned for the faithful performance of all the duties pertaining to his appointment and office of steward, or manager, of said poor house.

Powers and duties of steward.

Steward to give bond.

SECTION 13. That a quorum of said directors are hereby enjoined and required to meet at said poor house at least once in every month, and visit the grounds, buildings and appointments, and see that the poor are comfortably supported, and hear all complaints, and redress, or cause to be redressed, all grievances that may happen by neglect or misconduct of any person in their employment or otherwise.

Directors to meet monthly.

SECTION 14. That the treasurer of said corporation shall annually, on the second Monday of February in each year, as often as said directors may require, render to said directors a just and correct account of his receipts and disbursements during the preceding year, or from the time of his last statement, and shall present his vouchers for such disbursements; and

Treasurer to make an annual statement.

said directors shall annually, in the month of February in each year, cause to be published in two newspapers of Bradford county, for one week, a statement of the receipts, disbursements and expenditures of said corporation during the preceding year, together with a statement of property, real and personal, then held by said corporation.

Court to appoint auditors. SECTION 15. That on the first Monday of December, in each year, the court of quarter sessions of said county shall appoint three competent persons, who shall be citizens of said township, to audit and settle the accounts of said directors; said auditors shall meet, for that purpose, on the second Monday of

Compensation. February, in each year, and shall receive for their services, each one dollar per day for every day necessarily employed;

Report. the report of said auditors shall be filed, by them, with the clerk of said court, before the session of said court next after they shall have audited and settled said accounts; and said directors, treasurer, or any one or more of the tax-payers of said township, or borough, may, within twenty days from the filing

Appeal. of said report, appeal from such settlement to the court of common pleas of Bradford county, in the same manner, and under the same provisions and regulations, that appeals from settlements by township auditors are now allowed.

Orders for relief. SECTION 16. That all orders issued for the relief of any poor person, or persons, within said townships, after the filing of the certificate mentioned in the ninth section of this act, shall be directed to the directors of the poor of Asylum, Monroe and South Towanda townships, and upon the receipt of such orders, said directors, or any one of them, shall immediately proceed to inquire into the circumstances, and if the person, or persons, named in such order or orders, shall be found to be entitled to relief, he, or they, shall furnish such relief, or cause such person, or persons, to be removed to said poor house, there to be kept and maintained until legally discharged; any of said directors shall have authority to direct a poor person to be admitted to said poor house, but no person shall be discharged therefrom, unless at his or her request, except by the direction of at least two of said directors.

Admission and discharge of inmates, relative to.

Compensation of directors and officers. SECTION 17. That the compensation of the treasurer, collector of taxes, steward, physician, and other officers or assistants, shall be fixed by said directors; and the compensation of said directors, for the preceding year, shall be fixed by the board of auditors, at each yearly settlement, each of said directors to furnish said auditors with a correct account of the time lost and expenses incurred by him in attending to his duties, and each director, to such account furnished as aforesaid and presented by him to said auditors, shall append an affidavit that such account is just and correct: *Provided*, That the compensation to be allowed to said commissioners or directors for any one year shall not altogether exceed the sum of seventy-five dollars, which shall be apportioned among said directors according to the time lost, and expenses incurred, by each.

Proviso.

Orders upon treasurer.

SECTION 18. That no money shall be paid by the treasurer of said corporation, except upon orders drawn by the directors, and signed by at least two of them.

SECTION 19. That it is hereby declared lawful for the over-

seers of the poor of any township, or borough, in Bradford county, if such overseers shall see fit, to make agreements, or contracts, with said directors, if said overseers and directors can mutually agree, for the keeping, maintaining, or employment of the poor, or any of them, of such townships, or boroughs, in said poor house, for such time, and upon such terms, conditions, restrictions, or stipulations, as said parties may mutually agree, and after the making of any such contract, or agreement, by such overseers, with said directors, said overseers are hereby empowered to remove such poor to said poor house, and if any such poor person shall refuse to go to said poor house, such overseers may refuse to render relief to such poor person, during the time such refusal shall be persisted in.

Contracts by overseers of any township or borough with directors, for support of the poor, authorized.

SECTION 20. That if any person, being a director, after having taken his oath of office, or if any person, being the treasurer, steward, tax collector, or other officer, or assistant, appointed by said directors, after having entered upon the duties of his office, shall be guilty of gross misconduct in said office, or shall wilfully and persistently neglect, or refuse, to discharge, or perform, the duties of said office, or appointment, such person, so offending, shall be liable to prosecution and indictment in the court of quarter sessions of the peace for said county of Bradford, and upon conviction shall be sentenced, by said court, to pay a fine of not more than two hundred dollars, together with the costs, and undergo an imprisonment, in the jail of said county, for a period of not more than three months, or both, or either, at the discretion of said court.

Penalty for misconduct or neglect of duty by directors or officers.

SECTION 21. That it shall be lawful, at any time after the passage of this act, for the directors aforesaid, on petition of a majority of the town commissioners, and a majority of the auditors, of any township in Bradford county, to admit, if said directors deem it proper, such township, under the provisions of this act, on the same footing, as to expenditure, liability and privilege, as the townships named in this act.

Other townships may be admitted under the provisions of this act.

SECTION 22. That this act shall not take effect, nor shall any steps be taken, by the commissioners named in this act, to put it in force, until a majority of the township commissioners, and a majority of the township auditors, of each township named in this bill, shall have signified their assent in writing to the objects and provisions of this act.

When act to take effect.

SECTION 23. That it shall be lawful for the commissioners of any township in Bradford county, after a decision in the manner prescribed in the twenty-first section, to accept the provisions of this act, to levy and collect, in the same manner that poor taxes are now by law levied and collected, a sufficient amount to cover the proper share of such township, of moneys already expended in the payment for real estate and improvements thereon of said poor house, and pay the same over to the treasurer of said corporation; which payment shall entitle said township to the same privileges and rights as the original townships named in this bill, and thereafter subject to the same liabilities: *Provided*, That said amount of money, to be paid over, shall be apportioned upon the basis of taxable property for poor purposes, in said townships concerned, at the last annual assessment.

Tax to be levied in other townships accepting.

Payment of.

Proviso.

Repeal.

SECTION 24. That so much of the laws of this commonwealth, relating to the poor, as are hereby altered or supplied, or are inconsistent with this act, be and the same are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three. •

A. G. CURTIN.

No. 254.

An Act

To authorize the Commissioners of the city and county of Philadelphia to draw their warrant for certain services in the register of wills' office.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the city and county of Philadelphia be and they are hereby authorized and required to draw their warrant upon the treasury of said city and county, for thirteen hundred and thirteen dollars and seventy-five cents, in favor of J. A. Irwin, and Edward Carrigan, for compiling, copying and perfecting the indices of wills and administrations in the register of wills' office, upon an order of the court of common pleas, in pursuance of an act of assembly.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three. •

A. G. CURTIN.

No. 255.

An Act

To validate the act of Daniel Bixler, justice of the peace for Frailey township, Schuylkill county, and to empower the secretary of the commonwealth to issue a new commission.

WHEREAS, Daniel Bixler, of Frailey township, Schuylkill county, was duly elected in February, Anno Domini eighteen hundred and sixty-two, one of the justices of the peace in and for said township, and having no information of the act passed and approved April thirteenth, eighteen hundred and fifty-nine, relative to the commission of justice of the peace and aldermen, he, the said Daniel Bixler, did not give the required notice, in said act, to the prothonotary, in consequence of which no commission was issued to him by the secretary of the commonwealth:

And whereas, The said Daniel Bixler, justice elect, has been acting as justice, by authority of his old commission, until its expiration in eighteen hundred and sixty-two, and believing that the new commission had been sent to the office of the recorder in said county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the acts of Daniel Bixler, justice of the peace, elect of the township of Frailey, county of Schuylkill, that were done and performed, by him, in that capacity of justice of the peace, after the expiration of his former commission as justice of the peace, and before the receipt of his new commission for said office, be good and valid, and to have the same force and effect as if he had been duly commissioned and sworn; and it shall be the duty of the secretary of the commonwealth to issue a new commission in favor of the said Daniel Bixler, as justice of the peace for said township, after being fully satisfied of his re-election to said office; said commission to date back from the time of his re-election to said office.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 256.

An Act

Relative to the township elections in Laporte township, Sullivan county.

WHEREAS, In consequence of the prevalence of a contagious disease, no election for township officers, et cetera, for the present year, was held in the township of Laporte, Sullivan county, at the time fixed, by law, for holding the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of Laporte township, Sullivan county, are hereby authorized to hold an election, for all such officers as should have been elected at the time fixed, by law, on Saturday, the fourth day of April, Anno Domini one thousand eight hundred and sixty-three; and the officers, who should have held said election, are hereby authorized and empowered to hold said election on the day aforesaid, with the same force and effect as if the same had been held at the time fixed by law.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 257.

A Further Supplement

To an act to incorporate the city of Harrisburg, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the plot, or draft, made out and signed by the commissioners, designated under the thirty-third section of the act to which this is a further supplement, of the streets, lanes, alleys and avenues in the city of Harrisburg, and filed in the office of

Certain draft,
&c., made by
commissioners,
confirmed.

the clerk of the court of quarter sessions of the county of Dauphin, on the twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-one, together with the accompanying report and profiles of the streets, et cetera, and now on file therein, be and the same are hereby ratified and confirmed and made valid, in every particular, for all legal intents and purposes whatsoever, except such parts thereof, which lay out and set apart twenty-seven acres and five perches of land for a city park, and also so much thereof, which vacates that part of the Harrisburg, Hummelstown and Ephrata turnpike road lying between Eleventh street, as laid down on said plot, and the eastern boundary line of the said city; and also, so much of aforesaid plot and report, which extends Front street to low water mark, between State street and Colder street; and also, all those streets, and parts of streets, lanes and alleys lying, or situate as designated on said plan, or profile, within the following limits, to wit: beginning at the south-eastern corner of Seventh street and Verbeke street; thence along the eastern side of Seventh street to the southern boundary of Kelker street; thence along the said boundary of said street to the eastern side of Thompson alley; thence by the eastern boundary of said alley to the southern side of Maclay street, or Hospital avenue; thence down said Maclay street to the western side of Eighth, or Canal street; thence down said street to a point opposite the southern boundary of Verbeke street; thence by a straight line to Seventh street, the place of beginning; and excepting, also, so much of said plan and report as provides for opening Reach alley, from North to Boas streets; which said excepted parts of said plot, or plan, of the city, are hereby vacated and rendered null and void and of no effect: *Provided*, That the streets, lanes and alleys laid out over the ground designated for a park, shall remain for public highways, as located on the draft aforesaid: *Provided*, That the public roads, laid out and passing over the ground designated for a park, shall remain as heretofore traveled.

Exceptions.

Excepted parts vacated.

Proviso.

Proviso.

SECTION 2. That the words, "of the said city of Harrisburg, or," where they occur before the words, "of said county," in the thirty-fifth section of the act to which this is a supplement, be and the same are hereby repealed and of no effect.

Repeal of certain words.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 258.

An Act

To incorporate the Altoona Hall and Market Company.

Corporators.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same</i> That Enoch Lewis, Wm. H. Wilson, Wm. M. Lloyd, Lewis W. Hall, Robert Pitcairn, Benjamin F. Rose, Jacob M. Gemmill, Matthew T. Dill, George W. Kessler, Charles J. Mann, Wm. C. Keller, James Kearney, and their successors, and all persons who may hereafter be associated with them, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the Altoona hall and market company, and by that name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in any court of law or equity, or elsewhere, and shall be able and capable, in law and equity, to take and hold, to them and their successors, either by grant or conveyance, in fee simple, gift, devise or lease, any land or real estate, for the purpose of erecting thereon a suitable building, or buildings, for the use of said company; and also to take and hold, for the use of said company, any goods and chattels, sum or sums of money, by grant, bargain or sale, and generally to do all, and singular, the matters and things which shall be lawful for them to do, for the well being and due management of the affairs of said company.</p>
Name.	
Privileges.	<p>SECTION 2. That the capital stock of said company shall not exceed the sum of twenty-five thousand dollars, divided into one thousand shares, of twenty-five dollars each.</p> <p>SECTION 3. The object and purpose of said company shall be to erect suitable buildings and stalls, on a suitable lot in the borough of Altoona, the same to be appropriated exclusively as a hall for public purposes, and as a market house, for the sale and vending of meats, vegetables, and all other kind of victuals and provisions whatever, and such other articles as the board of managers may deem proper; the said hall and market building, the stalls, or any one or more, or all of the same, to be leased, rented or disposed of, in such manner, and upon such terms and conditions, as the managers shall determine.</p>
Capital stock.	<p>SECTION 4. That the said company shall have power, and it is hereby authorized, to borrow any sum or sums of money, not exceeding five thousand dollars, for the purpose of said company, and in order to secure the payment of the same, shall issue their bonds therefor, bearing interest at six per centum per annum, payable semi-annually, to be secured by mortgage of all, or any part of, the said real estate, together with the corporate rights and franchises granted by this act.</p>
Objects.	
Renting of stalls	
Authorized to borrow money and issue bonds therefor.	
Mortgages.	

and to annex to the said mortgage, the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders.

SECTION 5. That the parties hereinbefore mentioned, or a majority of them, may proceed to organize said company, and obtain subscriptions to the capital stock thereof, and after one hundred and fifty shares shall have been subscribed, by not less than twenty persons, and at least ten per centum paid in on said subscription, they shall provide, by advertisement, for the election of one president, five managers, and one treasurer, who shall serve until the fourth Monday in December next, and until their successors be duly elected; and annually thereafter, on the fourth Monday of December, the stockholders shall elect a similar board of managers, to serve in like manner for one year, and until their successors shall be duly elected; and the said managers shall supply vacancies in their board, by death, resignation or otherwise, until the next annual election; but no person shall be elected a manager, who shall not be at the time a stockholder of said company; and in every election, each stockholder shall be entitled to one vote for each share of stock, not exceeding ten shares, and one vote for every five shares exceeding that number; but no stockholder, whether original subscriber or assignee, shall be entitled to vote, at any election or meeting of said company, unless the whole sum called for, on the share or shares by him, her or them held at that time, shall have been fully paid and discharged.

Organization.

Election of officers.

Board of managers.

Votes.

Who entitled to vote.

SECTION 6. That the said managers shall have power to elect such other officers as may be deemed necessary and expedient for the transaction of the business of the company.

Managers may elect other officers.

SECTION 7. That if the stockholder, whether an original subscriber or assignee, after ten days' notice of the time and place appointed for the payment of any instalment or proportion of the capital stock, shall neglect to pay the same at the place appointed, for the space of thirty days after the time appointed for payment thereof, such stockholder shall, in addition to their instalment so called for, pay at the rate of one per centum per month, for every delay of such payment; and if the same and additional penalty shall become equal to the sum before paid, on account of such share, the same may be forfeited by and to the said company, and may be sold by them, at public sale, for such price as may be obtained therefor, or in default of payment of any stockholder, of such instalments as aforesaid, for the space of sixty days after the time appointed as aforesaid, the president and managers may, at their election, cause suit to be brought in the same manner as debts of a like amount are now recoverable, for the recovery of the same, together with the penalties aforesaid.

Payment of instalments, relative to.

Suits may be brought therefor.

SECTION 8. That the said company may make and have a common seal, and the same to renew and alter at pleasure, and also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of said company, not being contrary to the laws of the United States and of this commonwealth: *Provided*, That all by-laws must be approved by a

Seal.

By-laws.

Provide.

vote of two-thirds of the board of managers present, which fact must be recorded in the minutes kept by the board.

Dividends.

SECTION 9. That dividends of so much of the profits of said company, as may be deemed advisable by the managers, shall be declared in the months of January and July, in each and every year, to be paid at the office of said company, at any time after fifteen days from the time of declaring the same; but said dividend shall in no case exceed the amount of net profits of said company, so that the capital stock thereof shall not be impaired thereby.

May issue certificates of stock.

Object of.

Limitation.

SECTION 10. That said company shall have power, and is hereby authorized, to issue certificates of stock at par, in liquidation of the whole, or any part, of the mortgage debts on the estate or property of said company: *Provided*, That such issue of stock, together with the original shares taken and subscribed, from time to time, by the stockholders, shall at no time, and in no event, exceed the one thousand shares authorized under the second section of this act of incorporation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 259.

An Act

To revive and continue the act chartering the Excelsior Railroad and Coal Company, incorporated the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for opening books and receiving subscriptions to the capital stock of the Excelsior Railroad and Coal Company, incorporated April twenty-sixth, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby extended for the period of two years from the passage of this act, and the time for the completion of the same, is hereby extended for five years from the same date.

Time for receiving subscriptions, &c., extended.

Additional commissioners.

SECTION 2. That in addition to the names mentioned in the aforesaid act, as commissioners to receive subscriptions and or-

ganize the Excelsior Railroad and Coal Company, the following names be and the same are hereby added, namely: Wm. Phillips, Henry Eaton, James S. Craft, Nathaniel Holmes, Joseph Allen, Robert Woods, James R. Fleming, James Veech, M. B. Brown, James Bailey and John M'Cargo.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 260.

An Act

Relating to costs in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the county of Luzerne shall pay all legal costs of the officers of the courts of quarter sessions and oyer and terminer, including the fees of the district attorney, in all criminal prosecutions in said county, whether of misdemeanor or felony.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No 261.

An Act

To authorize the court of common pleas, for Allegheny county, to appoint an auditor to examine and correct certain accounts in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the court of common pleas, for Allegheny county, is hereby authorized to appoint a proper person, who shall receive, from said county, for his services, three dollars per day for the time actually engaged, not exceeding twenty days, to examine and correct the state militia and volunteer relief accounts of the present and late treasurers of said county, according to whose report the auditor general, and county controller, for said county, shall make the proper charges and credits, and settle said accounts.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 262.

An Act

Relating to writs of *estrepement*.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of the act, entitled "A supplement to an act further to regulate proceedings in courts of justice, and for other purposes," approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-two, be and the same are hereby repealed, so far as relates to writs of *estrepement*, issued, or to be issued, in any action of ejectment brought:

to compel specific performance of a contract for the sale and conveyance of lands.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 263.

An Act

To pay the claims of L. A. Mackey, Jacob Slenker, and W. S. Wood and Company, for work done and materials furnished on the West Branch canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized to pay to L. A. Mackey and Company the sum of three hundred and twenty-one dollars; to Jacob Slenker the sum of thirty-two and eleven one hundredth dollars, and to W. S. Wood and Company the sum of sixty-two dollars and twenty-one cents; being the amount, in full, of their claims for work done and materials furnished on the West Branch canal, in the years one thousand eight hundred and fifty-four, one thousand eight hundred and fifty-five, one thousand eight hundred and fifty-six, and one thousand eight hundred and fifty-seven: *Provided,* That the auditor general, state treasurer and attorney general shall first examine and find that the accounts are correct, and have not been paid, and that the same are just claims against the commonwealth.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The third day of April, Anno Dmoini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 264.

An Act

Relative to floating timber in Tuscarora creek, Juniata county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be lawful for any person, or persons, to float logs or lumber on the Tuscarora creek, and its tributaries, in the county of Juniata, and remove any obstructions that would prevent the floating of logs, or lumber, on said creek: *Provided,* That all damages done to fences crossing said creek, or its tributaries, or to other private property along the same, by reason of said rafting or floating of logs, ties or lumber, shall be repaired by the parties owning, or rafting, or floating, such logs, ties or lumber, &c.; if the said damages be not repaired, or amends for the same made to the party injured, within a reasonable time, the party so injured shall have his right of action to recover such damage against the party, or parties, owning said logs, ties or lumber, or rafting, or floating, the same, jointly and severally, as debts of like amount are now by law recoverable.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 265.

An Act

To change the par value of the stock of the Philadelphia and Erie Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of managers of the Philadelphia and Erie Rail-

road Company are hereby authorized and empowered to divide the capital stock of said company, by making the par value of each share fifty dollars, and to cancel the old certificates, and issue new ones, at the rate of two certificates, of fifty dollars each, for each old certificate of one hundred dollars: *Provided*, That the vote, to which stockholders shall be entitled, shall remain as heretofore, one vote for each hundred dollars of stock: *And provided further*, That this act shall not be so construed as to change the vote of any corporation holding stock in said Philadelphia and Erie Railroad Company, where, by existing laws, or contracts, the vote of such corporation is limited, or excluded.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN

No. 266.

An Act

Authorizing the school directors of the borough of Kutztown, Berks county, to borrow money; transferring farms of Thomas Slater and Samuel D. M'Cloy from Cecil to Chartiers township, Washington county, for school purposes, and attaching certain farms to the township of Frankstown, in Blair county, for school purposes, and relative to the farm of Samuel Vaneman, in Washington county.

WHEREAS, By an act of May eighth, one thousand eight hundred and fifty-four, authorizing the school directors to borrow money, the per-centage is not large enough to meet the wants of the borough of Kutztown, Berks county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Kutztown, Berks county, and their successors in office, be and they are hereby authorized and empowered to borrow, upon the credit of said school district, a sum of money, not exceeding two thousand and six hundred dollars, at a rate of interest not exceeding six per centum per annum, the same to be applied to the payment of the debt, incurred in the erection of a school house

School directors of Kutztown authorized to borrow money.

Bonds.

and purchase of a lot of ground, and to issue a bond, or bonds, or execute a promissory note, or notes, therefor, of not less than one hundred dollars each; said bonds, or notes, to be executed by the president, and attested by the secretary, of the board, in such manner as may be directed by the said board of directors.

Certain farms transferred to Chartiers township, Washington county.

SECTION 2. *Be it further enacted,* That the farms of Thos. Slater and Samuel D. M'Cloy, of Cecil township, Washington county, be and are hereby transferred to Chartiers township, for school purposes; and that the school tax, hereafter assessed on the said Thomas Slater and Samuel D. M'Cloy, shall be paid to the school directors of said township of Chartiers.

Certain farms attached to Frankstown township, Blair county.

SECTION 3. *Be it further enacted,* That the farms or lands of John Wentz, Christian Plowman and Engleberth Young, in Logan township, Blair county; and also, the farms, or lands, of Nicholas Hewit, Mrs. M'Glue, the heirs of Daniel Luster, deceased, Michael Hite and Charles Hughes, in Allegheny township, Blair county, be and the same are hereby attached to the township of Frankstown, in said county, for all school purposes.

Farm of Samuel Vaneman annexed to Peters township, Washington co.

SECTION 4. That the farm of Samuel Vaneman, on which he now resides, in the township of North Strabane, in the county of Washington, be and the same is hereby annexed to the township of Peters, for school purposes: *Provided,* That the tax on said land, being for school purposes, be paid into the Peters school district.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 267.

An Act

To change the place of holding elections in the borough of Scranton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the general, special and borough elections for the North ward of the borough of Scranton, in Luzerne county,

shall be held on the premises of Joseph Godfrey, at the corner of Wyoming avenue and Spruce street, in said ward.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 268.

A Supplement

To an act, entitled "An Act to incorporate the village of Dunmore, in the county of Luzerne, into a borough," approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first election, provided for by the third section of the act to which this is a supplement, shall be held on the second Tuesday of May next, in the same manner, and with the same effect, as though an election had been held on the second Tuesday of May last. When first election to be held.

SECTION 2. That it shall be the duty of the proper authorities of the several boroughs, and the township mentioned in the ninth section of the said act, in addition to their duties already prescribed therein, as soon as they shall be notified by the said commissioners of the respective amounts, which the said boroughs and township are required to contribute towards the payment of the indebtedness in the said act referred to, forthwith to levy a tax upon the basis of the last adjusted valuation, not exceeding ten mills on the dollar during any one year, and to collect the same as a money tax, in like manner as borough and township taxes are now, by law, collected in the said several boroughs and township; and the notice required to be published by the commissioners, according to the provisions of the said ninth section, shall be published as therein specified, at least four weeks prior to the twentieth day of July next. Tax to be levied.
Collection of.
Notice required

SECTION 3. That the seventh section of the said act relative to the case of the poor in the borough of Dunmore, and also, Repeal of section relative to poor.

the eleventh section of the same act, be and the same are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE.

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 269.

An Act

Changing the mode and time of laying the Road taxes in the township of Maxatawney, in Berks county, et cetera.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Auditors to assist supervisors in making out certain accounts

That from and after the passage of this act, the supervisors of the township of Maxatawney, in Berks county, shall, on the second Monday in February, in every year, take to their assistance the auditors of said township for the time being, to aid them in making out an account of all expenses made by the supervisors on roads, et cetera, by law, chargeable to the township, during the preceding year; which account shall be verified, by the supervisors, under oath.

Mode of levying tax for road purposes.

SECTION 2. That the said auditors, assisted by the supervisors, shall then lay a rate, or assessment, for township purposes, the same to be levied upon the basis of the last adjusted valuation made, for the purpose of regulating county rates and levies, to pay off all such expenses taken in said account, made out as hereinbefore directed, and no more, upon all things now taxable for township rates: *Provided,* That such rates shall not exceed one cent on the dollar, at one time, on such valuation.

Auditors to make duplicates and issue warrants to supervisors.

SECTION 3. That said auditors shall make out fair duplicates of such rates, or assessments, by them laid, which shall be signed by them, and shall thereto issue their warrant to the supervisors therein, authorizing and requiring them to demand and receive, from every person in such duplicate named, the sum wherewith such person stands charged, allowing him such credits as are due him in the account of the said supervisors: *Provided,* That the supervisors, before entering upon their duties for the settlement of their account and duplicate, they shall give sufficient security to the said auditors, in double the

Supervisors to give security.

amount of their duplicates, conditioned for the faithful discharge of their duties in making settlement of their accounts duplicate, as made out by said auditors, within three months from the time of receiving said duplicate; for which service the supervisors are to receive a compensation of two per cent., for the amount by them settled, respectively; it shall be the duty of the supervisors to give notice to all taxable persons, by advertisement, or otherwise, to attend at such time and places as such supervisor may direct, so as to give such person a full opportunity to work out a fair proportion of his respective tax; that all laws, inconsistent with foregoing, be and the same are hereby repealed, so far as relates to said Maxatawny township, in Berks county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 270.

An Act

To annex the farm of Daniel Geiselman, in Union township, to Conewago township, for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the farm of Daniel Geiselman, in Union township, Adams county, is hereby annexed to the township of Conewago, in said county, for school purposes, and the occupants of said farm shall have the privilege of sending their children to the public schools of Conewago township, as though they were residents of said township; and all taxes, levied or assessed upon the said real estate, for school purposes, shall be paid over to the treasurer of the school board of Conewago township.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 271.

A Supplement

To an act incorporating the Big Black Creek Improvement Company, approved twelfth April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Big Black Creek Improvement Company be and the same is hereby invested with all, and singular, the powers, and privileges, and immunities, conferred by, and subject to all, the restrictions and provisos contained in an act to incorporate the Raush Creek Company, approved the second day of April, one thousand eight hundred and sixty : *Provided,* The number of directors shall remain the same as heretofore.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 272.

An Act

To authorize the erection of a poor house by the township of Franklin, in the county of Carbon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Bauman, Abraham Boyer, Franklin Reed, Andrew Graver and Edward Sensinger, of the township of Franklin, in Carbon county, be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, as soon after the passage of this act as practicable, to determine upon and purchase such real estate as may be necessary and proper, not exceeding one hundred acres, for the accommodation of the poor of the township of Franklin aforesaid ; and it shall be lawful for the said commissioners to take, and receive, proper

Commissioners.

Their powers.

conveyances therefor, in the name, and for the use, of the corporation mentioned in the second section of this act, and upon receipt of such conveyance, to execute, in the name of the said corporation, and deliver to the vendee, or vendees, bonds or mortgage, upon said real estate, to secure the payment of so much of the purchase money thereof as shall then remain unpaid; and also to erect thereon suitable buildings for the accommodation and keeping of the poor of said township; and they are also authorized to borrow such sum, or sums, of money as may, in their opinion, be advisable and necessary, not exceeding four thousand dollars, to be used in the payment of the expense of purchasing said real estate, and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.

SECTION 2. That said John Bauman, Abraham Boyer, Franklin Reed, Andrew Graver and Edwin Sensinger, are hereby constituted directors of the poor, for said township, until successors are appointed and qualified, as hereinafter provided; and they and their successors, in office, are hereby created a body politic and corporate, in law, to all intents and purposes whatsoever, relative to the poor of said township; and shall have perpetual succession, by the name, style and title of the directors of the poor of Franklin township, and by that name may be sued, plead and be impleaded, receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of three thousand dollars; may have a common seal, and may erect, and keep in proper condition, suitable buildings for the reception, use, accommodation and employment of the poor of said township, and provide all things necessary for the lodging, maintenance and employment of the poor of the said township.

Commissioners
constituted di-
rectors of the
poor until elec-
tion.

Title of the cor-
poration.

Privileges.

SECTION 3. That the said John Bauman, Abraham Boyer, Franklin Reed, Andrew Graver and Edward Sensinger, shall continue in office, as directors, until the annual March election in the year one thousand eight hundred and sixty-four, at which time, the qualified electors of the said township shall elect three persons to serve as directors of the poor of said township, one to serve for one year, one to serve two years, and one to serve three years, and annually thereafter one person shall be elected to serve for three years; and any vacancy in the said office of director, by resignation or otherwise, shall be filled by appointment, by the remaining members of the board, and the person so appointed shall hold his office until his successor is duly elected, at the next March election.

Election of di-
rectors.

Vacancies.

SECTION 4. That the said directors shall, before entering upon the duties of their office, be duly sworn, or affirmed, to faithfully discharge the duties of their office; and the persons herein appointed directors shall, as soon as they think proper after the passage of this act, appoint a treasurer, steward, a superintendent, collector of poor taxes, and such other assistants as they shall deem necessary, who shall serve until successors are appointed; and in the month of January, in the year one thousand eight hundred and sixty-four, and in each year thereafter, the said directors shall appoint a treasurer, collector, steward, physician, and such other assistants as they shall deem neces-

Oath.

Appointment of
officers, &c.

Treasurer and collector to give bonds.	sary, to serve for one year, and until successors are appointed and qualified; the said treasurer and collector to give bonds, with sufficient security, for the faithful performance of their respective duties, in such sum as the directors shall require; and any of said officers and assistants may be removed by said directors, for neglect of duty, and the vacancies, as well as all vacancies, which shall otherwise occur, shall be filled by them.
Vacancies.	
Tax, rate of, and how to be levied	<p>SECTION 5. That the said directors, any three of whom shall constitute a quorum for the transaction of business, shall have power, annually, as soon after the returns of the annual assessments in said county as is practicable, to lay a rate of assessment, not exceeding one cent on the dollar, at one time, upon all real and personal estate within the said township, for defraying the expenses of purchasing the farm, erecting said buildings, and maintaining the poor of said township; which tax shall be levied upon all persons and property, subjects and things, taxable for county purposes, upon the basis of the last adjusted valuation, made for county rates and levies; and having caused fair duplicates of such rate of assessment, by them laid, to be made, they shall issue their warrant to the collector appointed by them, therein authorizing, and requiring, him to demand, receive and collect, from every person therein named, the sum wherewith such person stands charged, in the manner, and by the same process, as county taxes are now by law collectable; and the said directors shall, from and after the passage of this act, exercise and perform all the powers and duties, which the overseers of the poor of said township may, and are now required by law to, exercise and perform, within the said township; and the overseers of the poor of said township shall, within twenty days after being notified so to do, furnish, to said directors, a list of the names of the persons then a charge upon the said township, or receiving relief therefrom, together with such other information as may be required of them, touching the support and maintenance of the poor of said township, and as soon as the duplicates and accounts of the said overseers shall be settled and adjusted by the township auditors, the said duplicate, together with any unexpended moneys in the hands of said overseers, shall be delivered over and paid to the said directors.</p>
Collection of.	
Directors to perform duties of overseers.	
Overseers to furnish certain lists, &c.	
Duplicate and moneys to be delivered over to directors at settlement.	
Duties of directors.	<p>SECTION 6. That the said directors, from the time the said duplicates are delivered to them, and the moneys paid as aforesaid, shall take charge of the poor of said township, and as soon as they shall have provided suitable buildings, shall cause such poor persons, or such of them as they shall think expedient, to be removed to said house, so provided, and thereafter to be kept, lodged and maintained therein, so long as such persons shall continue a charge upon said township; and no person, who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief, or support, from said directors, or from said township, during the time of such refusal: <i>Provided however,</i> That said directors may, if they think proper, furnish assistance, and afford relief, to any poor persons, without requiring them to be removed to, and kept at, said house.</p>
Proviso.	
Work to be performed by inmates.	<p>SECTION 7. That said directors are hereby authorized to provide work, and employment, to such poor persons as may be</p>

able to perform any labor, or pursue any employment; and if any poor person, unless unable by reason of age, infancy or disease, shall refuse to perform such reasonable labor or service as shall be allotted to, or required of, him or her, by said directors, such person shall not be entitled to, or receive any relief or assistance, during such refusal, and shall immediately, upon such refusal, be discharged from said poor house.

SECTION 8. That after the settlement of the duplicates and accounts of the overseers of the poor of said township, by the township auditors, as provided in the fifth section of this act, the said overseers shall cease to act as overseers of the poor in said township. and all books, papers, orders and documents, pertaining to their office, shall by them be delivered to the said directors, who shall settle and adjust all outstanding claims and demands of, and against, said township, and shall cause all taxes, remaining unpaid on the duplicate, to be collected in the same manner as is provided for the collection of taxes assessed by said directors. When overseers to cease acting.

SECTION 9. That if, upon a final settlement by said overseers, any balance shall be found due them, or either of them, the same shall be certified by the auditors making such settlement, and thereupon, the said directors shall issue their order on the treasurer, in favor of such overseer or overseers, for the amount, or amounts, so certified to be due. Balance due overseers, relative to.

SECTION 10. That the steward, or manager of said poor house, shall yearly, in the month of January, furnish, to said directors, a statement of the income of said real estate, as nearly as the same can be ascertained; also, of the excess of his expenditures over and above such income, the amount and kind of personal property then on hand, the number of persons admitted to, and discharged from, the house during the year, and the age and sex of each, with such other information as may be required by said directors; the treasurer shall, annually, in the month of January, furnish, to said directors, a statement of his receipts and expenditures, during the preceding year, and the said directors shall submit, to the township auditors, a full statement of receipts, disbursements, taxes levied, collected and outstanding, and of property, real and personal, then held by them, annually, on the second Monday of January, at which time the said auditors shall meet to examine and adjust the accounts of the steward, treasurer and directors, and to settle the duplicates with the tax collector; for which service they shall receive the sum of one dollar per day, for every day necessarily employed by them, to be paid out of the treasury of said corporation, upon the orders of the directors. Steward to make annual statement.

SECTION 11. That all orders issued for the relief of any poor person or persons, within said township, after the settlement and delivery of the duplicates, as provided in the fifth section of this act, shall be directed to the directors of the poor of Franklin township, and upon receipt of such order, said directors, or any one of them, shall, immediately, inquire into the circumstances, and if the person, or persons, therein named, is or are found by him, or them, to be entitled to relief, he or they shall furnish such relief, or cause such person, or persons, to be taken to said poor house, and there kept and maintained, until Duties and compensation of auditors.

Orders for relief.

Admission and discharge of inmates. legally discharged; either of said directors shall have authority to direct, that a poor person be admitted into said poor house, but no person shall be discharged therefrom, unless at his or her own request, except by the direction of at least two of said directors.

Apprentices. SECTION 12. That said directors are hereby authorized to bind out poor children, under their care, where parents are dead, or unable to support them, as apprentices, in the same manner, and under the same restrictions, as the overseers of the poor may now, by law, put out such children; and the said directors shall exercise the same power and authority, over all real and personal estate of any poor person under their care, as is now by law vested in the overseers of the poor.

Compensation of directors and officers. SECTION 13. That the compensation of the treasurer, collector, steward, matron, physician and other officers and assistants, shall be fixed by the directors, and the compensation of the directors shall be fixed by the board of auditors, at each yearly settlement; at which time, the said directors shall furnish, the said auditors, a correct account of the time and expenses lost, and incurred, by them in attending to their duties; from which account, the said compensation shall be fixed and adjusted.

Appeals from settlements. SECTION 14. That the said directors, or treasurer, or any one, or more, of the tax-payers of the said township may, within twenty days from the yearly settlement, by the auditors, appeal from such settlement to the court of common pleas of Carbon county, in the same manner, and under the same provisions and regulations, that appeals from settlements, by township auditors, are now allowed.

When settlement to be made by township auditors. SECTION 15. That the settlement named in the fifth section of this act shall be made by the township auditors, at the time fixed, by law, for the annual settlement, by township officers, on the second Monday of April, one thousand eight hundred and sixty-three; and it shall not be necessary for the citizens of said township to elect overseers of the poor, at the March election, one thousand eight hundred and sixty-three, but the persons now holding the offices of overseers of the poor shall continue to perform the duties of said office, until such time as the duties of said office shall devolve upon the said directors, under the provisions of this act.

Vote to be taken upon the question of erecting poor house. SECTION 16. That for the purpose of ascertaining the sense of the citizens of Franklin township, as to the expediency of erecting a poor house, an election shall be held on the ninth day of May next, between the hours of nine o'clock, in the forenoon, and seven o'clock, in the afternoon, of said day, at the usual place of holding the general, special and township elections, in said township; at which election, it shall be the duty of the inspectors to receive tickets, either printed, or written, from the qualified voters of the township aforesaid, labelled upon the outside, "poor house," and on the inside, "for a poor house," or, "against a poor house;" and if it shall appear, upon casting up the votes of the qualified electors, that a majority of those who voted are for a poor house, then the foregoing act to take effect; but, if a majority of the votes are found to be against a poor house, then the foregoing act to be, and the same is hereby declared, null and void: *Provided*, That said election shall be

How election to be conducted.

Provide.

held by the board of election officers of said township, duly elected for the purpose of holding the general, special and township elections, in said township of Franklin; and in case either of said election board shall fail to attend on the day of the election, the vacancy shall be filled by the members of the election board present, who are hereby authorized to appoint some qualified voter, of the election district, to fill the place of either and every of said election board, who shall fail to attend, on the day of said election, as aforesaid; and the said judge and inspectors shall appoint suitable persons as clerks; that it shall be the duty of the election board to make out a return of said election, containing the number of votes for, as well as against, such poor house, together with the names of the voters; which returns shall be signed as other election returns of said township are now, by law, required to be signed; which return shall be filed in the office of the clerk of the court of quarter sessions for the county of Carbon, within three days thereafter; and officers holding said election shall receive the same compensation, as is received for like services under the general election laws of this commonwealth, to be paid out of the poor funds of the township of Franklin aforesaid. Returns to be made.

SECTION 17. That all acts of assembly, or parts of acts, hereby supplied, or inconsistent with this act, are hereby repealed. Repeal.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 273.

A Further Supplement

To an act to lay out a certain State Road in Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the forty-sixth section of the act, entitled "An Act authorizing the laying out of certain state roads, and for other purposes," passed the fifth day of April, one thousand eight hundred and forty-three, shall be extended to, and embrace, the state road laid out and worked, in pursuance of an act, entitled "An Act to lay out a state road in Venango, Butler and Arm-

strong counties," passed the first day of May, one thousand eight hundred and sixty-one, together with the supplement thereto, passed the fifth day of April, one thousand eight hundred and sixty-two, and the same is hereby so extended.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 274.

An Act

To authorize the Commissioners of Lehigh county to erect a Bridge over the river Lehigh, at Allentown, in said county.

Commissioners
authorized to
erect bridge.
Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Lehigh county are authorized to erect a bridge over the river Lehigh, at Allentown: *Provided*, That before proceeding to erect the same, the grand jury, and court of quarter sessions of said county, shall approve the same: *And provided also*, That the expense of erecting and construction of said bridge shall not exceed the sum of twelve thousand dollars.

Proviso.

May receive pri-
vate subscrip-
tions.

SECTION 2. That the said commissioners are authorized to receive private subscriptions for the purpose of erecting said bridge, and whenever six thousand dollars shall be, *bona fide*, subscribed, they shall be authorized, after the approval of the grand jury and court aforesaid, to proceed to erect the same.

Bridge to be free

SECTION 3. That said bridge, so erected, shall be free for all purposes whatever.

Repeal.

SECTION 4. That all acts of assembly, heretofore passed, chartering companies to erect a bridge at Allentown, are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 275.

An Act

To authorize the Wyoming Canal Company, and its creditors, to agree to an adjustment of their respective rights.

WHEREAS, The Wyoming Canal Company, by reason of the **Preamble.** great reduction of trade on the line of their canal, have failed to pay the interest on their debt to the commonwealth, and other holders of their bonds, and to perform their covenants expressed in their mortgage, executed and delivered, to trustees, on the twenty-fourth of June, Anno Domini one thousand eight hundred and fifty-eight, to secure the payment of the same, and proceedings having been instituted, by certain bond-holders on the said mortgage, for the sale of the mortgaged premises, the attorney general has intervened on behalf of the commonwealth, to prevent such sale, the same being considered incompatible with the public interests, and the canal and property of the said company has been placed in the hands of a receiver :

And whereas, In order to prevent further depreciation of, and loss on, the said property for want of proper management, and to avoid an unnecessary sale of the same, which would probably prove injurious to all interests concerned, and to end all litigation in respect thereto, the stockholders of the said company, and the principal creditors thereof, have agreed upon certain terms of settlement, which are considered equitable and just, but which cannot be carried into effect without legislative aid, and the consent of the commonwealth :

And whereas, It is believed that the interests of the commonwealth, and all other parties concerned as creditors or stockholders of the said company, will be best promoted by a legislative grant of such powers as will enable the said parties to consummate the said agreement, as the same is expressed in the following act ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That if the stockholders of the Wyoming canal company, or such of them as represent two-thirds of the capital stock thereof, shall, at a meeting called for that purpose, by the president of the said company, agree to accept the provisions of this act, within thirty days from the passage of the same, and the holders of two-thirds, in amount, of the bonds of the said company, exclusive of the bonds for two hundred and eighty-one thousand dollars, owned by the commonwealth, shall also consent to the provisions herein contained, respecting the payment of the said bonds, secured by mortgage, executed by the said company, bearing date the twenty-fourth of June, Anno Domini one thousand eight hundred and fifty-eight, and if the

Terms upon which an adjustment may be made and a new company organized.

	said company shall, thereupon, reduce the aggregate amount of the said bonds to seven hundred and fifty thousand dollars, and shall pay to the commonwealth, and the other holders thereof, all the interest which may be due, and in arrear, on the fifteenth day of January, one thousand eight hundred and sixty-three, except one coupon, for three per centum, on each bond, to be released by said bond-holders and cancelled, the stockholders of the said company shall be, and they are hereby, authorized, at any time within three months from the passage of this act, to organize a new company, with a capital stock of five hundred thousand dollars, which shall be a body politic and corporate, in deed and in law, by the name, style and title of the Wyoming Valley Canal Company, and by the said name shall have perpetual succession, with all the privileges and franchises incident to a corporation, under the laws of this commonwealth: <i>Provided</i> , That the said Wyoming Valley Canal Company shall not enjoy the rights and privileges conferred by this act, unless, within sixty days from its passage, the said company shall pay into the treasury of this commonwealth, the sum of two hundred and eighty-one thousand dollars, being the principal of the bonds held by the commissioners of the sinking fund, and all interest thereon, except one coupon on each of said bonds, amounting, in the aggregate, to eight thousand four hundred and thirty dollars.
Capital stock.	
Title.	
Privileges.	
Proviso.	
Capital stock, how to be divided and issued.	SECTION 2. That the capital stock of the said company, authorized by this act, shall be divided into ten thousand shares, of fifty dollars each, which shall be issued to the said stockholders of the Wyoming Canal Company, on the surrender and cancellation of their stock certificates, in the proportion of one share thereof for every two shares represented by the certificates so surrendered and cancelled; and upon the surrender and cancellation of the said certificates, representing at least two-thirds of the capital stock of the said the Wyoming Canal Company, the canal, and all the property, real, personal and mixed, and all the corporate rights, powers, liberties, privileges and franchises, and debts due, and rights of action of the said company, shall merge in the said Wyoming Valley Canal Company, and shall be deemed and taken to be transferred to, and vested in, the said company, their successors and assigns, forever, and the said company shall enter upon, and hold, possess, use and enjoy the same, as effectually and absolutely as they were ever held, possessed, used and enjoyed by the said the Wyoming Canal Company, or the grantors from whom the same were derived; and the said last mentioned company shall execute a declaration thereof, under its corporate seal, and deliver the same to the said the Wyoming Valley Canal Company, which shall be filed in the office of the secretary of the commonwealth: <i>Provided</i> , That all rights of creditors, and liens upon the said property, shall continue unimpaired, and all debts, duties and liabilities of the said the Wyoming Canal Company, shall thenceforth attach to the said corporation, by this act authorized, and be enforced against it to the same extent as they could be against the said the Wyoming Canal Company.
Cancellation of stock certificates, terms and effect of.	
Declaration to be executed by original company and filed.	
Rights of creditors, &c., not to be impaired thereby.	
Officers.	SECTION 3. That the officers of the said company shall consist of a president and eight managers, each of whom shall hold

at least ten shares of stock, and they shall constitute the board of managers, and have the direction and control of the business and affairs of the corporation; they shall adopt a common seal, and have authority to appoint such subordinate officers and agents as may be necessary for the business of the company, allowing them such compensation as they may think reasonable, and may require any of them to give security for the faithful performance of their respective duties; they shall have authority to fix the rates of tolls on the canal, from time to time, not exceeding the rates adopted by the canal commissioners, in the year one thousand eight hundred and fifty-six; and if they adopt special rates, no preference shall be given to any operator, or vendor, but said rates shall be uniform; and they may declare dividends out of net profits actually realized, and establish such rules, regulations and by-laws, as they may think proper, for the maintenance and management of the concerns of the corporation.

Powers and duties of board of managers.

Rates of toll.

Dividends.

By-laws.

SECTION 4. That the president and managers of the said company shall be annually chosen, by ballot, by a plurality of the votes of the stockholders present, in person, or by proxy, at an election to be held in the borough of Wilkesbarre, on the third Wednesday in April, in each year; ten days' notice of the time and place of such meeting shall be given, by the president, or secretary, in at least two of the public papers printed in the borough of Wilkesbarre and city of Philadelphia; and the managers, for the time being, shall appoint two of the stockholders, not being members of the board, to be judges of the said election, and to conduct the same; and the said judges shall decide upon the qualification of voters, and when the election is closed, shall count the votes, and declare who has been elected; and the persons so elected, being first severally sworn, or affirmed, to perform their duties with fidelity, shall hold their office until their successors are chosen, and until the next election; the persons who, at the time of the passage of this act, shall fill the office of president and managers of the Wyoming Canal Company, shall be invested with the powers, and exercise the duties, belonging to the board of managers of the new company authorized by this act; in case of the death, resignation, or removal from the state, of any member of the board of managers, his place may be filled, by appointment, to be made by the said board, until the next annual election.

Election of president and managers.

Notice.

How election to be conducted.

Present officers to act until election.

Vacancies.

SECTION 5. That the said company shall have power to increase their capital stock, by new issues and subscriptions, not exceeding, in amount, eight hundred and fifty thousand dollars, in such manner and form as the board of managers may think proper, for the purpose of improving, repairing and enlarging their canal, the river dam at Nanticoke not to be raised higher than when in the use of the state authorities, or reducing the amount of their debt, or they may borrow money, not exceeding the said amount of eight hundred and fifty thousand dollars, for the said purposes, and may issue their bonds therefor, and execute a mortgage of their property and franchises, to secure the payment of the same, with interest, and in such form and manner, and with such covenants, as the board of managers may approve; they may loan money to operators, to be used in building boats to be used on said canal; but the said company

May increase capital stock or borrow money.

Purposes of.

Bonds and mortgages.

Authorized to loan money for certain objects.

Prohibition. shall not become transporters on the said canal, or on any railroad, and shall not own or work any mines, or buy and sell any mineral productions; they shall have power to loan money to individuals, or companies, to be used in constructing or purchasing branch canals and railroads to connect mines or quarries with the line of their canal: *Provided*, That such mines or quarries are not more than five miles distant therefrom; they shall maintain and keep the said canal, and all public and private bridges crossing the same, in good order and condition, and the said canal shall be and remain a public highway forever, for the use and enjoyment of all persons desiring to use the same, subject to the laws of the commonwealth, and to such rules and regulations as the board of managers are authorized to adopt.

Additional privileges. **Proviso.** **Canal and bridges to be kept in good order.** **Authorized to issue bonds and execute a mortgage therefor.** SECTION 6. That the said Wyoming Valley Canal Company shall have power, and are hereby authorized, to execute and issue, under their corporate seal, seven hundred and fifty bonds, for one thousand dollars each, payable on the fifteenth day of July, one thousand eight hundred and seventy-eight, and bearing interest at the rate of six per centum per annum, from the fifteenth day of January, one thousand eight hundred and sixty-three, payable semi-annually, and as security for the payment of the principal and interest of the said bonds, the said company shall execute and deliver, in trust, under its corporate seal, a mortgage of the same canal and property now embraced in the said mortgage, executed by the Wyoming Canal Company, and dated the twenty-fourth of June, Anno Domini one thousand eight hundred and fifty-eight, together with all other property, rights, liberties, privileges and franchises of the said the Wyoming Canal Company; which said mortgage shall be recorded in the counties in and through which the said canal is located and passes.

To be used in payment of bonds of the Wyoming canal company, &c. SECTION 7. That the said bonds, authorized by the sixth section of this act, shall be delivered to the holders of the bonds of the Wyoming Canal Company, in lieu and payment thereof, and of the interest certificates attached thereto, falling due after the fifteenth of January, Anno Domini one thousand eight hundred and sixty-three; and upon the surrender and cancellation of two-thirds, in amount, of the bonds of the said last mentioned company, the trustees, named in the said mortgage, dated the twenty-fourth of June, Anno Domini one thousand eight hundred and fifty-eight, executed to secure the payment thereof, or the survivor of them, shall enter satisfaction on the record of the said mortgage, and the lien thereof shall thereupon be discharged, and forever extinguished, and the mortgage authorized by, and executed under, this act, shall be and remain the first lien on the premises therein mentioned and described.

Effect of. **Consenting stockholders and bondholders not to be prejudiced by their acceptance of this act.** SECTION 8. That in case this act shall be accepted by two-thirds of the stockholders, and the requisite number of the bondholders of the Wyoming Canal Company, as provided in the first section, and shall be carried into effect, if any stockholder, or bondholder, of the said the Wyoming Canal Company, shall thereafter refuse to consent to, and abide by, its provisions, and shall refuse to surrender his certificate of stock, or bonds, to be cancelled, according to the true intent and meaning of this act, the consenting stockholders and bondholders shall in no wise

be prejudiced by their acceptance of this act, or by the cancellation of their said certificates of stock, or bonds, but the new certificates and bonds issued under the provisions of this act, shall be deemed and taken to represent their respective original rights, claims and demands, as against such dissenting stockholders and bondholders, so that in any judicial proceeding against the said the Wyoming Canal Company, and in any distribution of its effects, and settlement of its liabilities, the said consenting stockholders and bondholders shall be considered as restored to their original rights and priorities as against such dissenting stockholders and bondholders, to whom no advantage shall be given, or allowed, by reason of their said dissent, or refusal to surrender their said certificates and bonds for cancellation, under this act; and all persons holding the stock, or bonds, of the said the Wyoming Canal Company, in a fiduciary capacity, are hereby authorized to consent to, and abide by, the provisions of this act: *Provided*, That nothing herein shall release the claim of the commonwealth, or the claims of other creditors, to any funds, or moneys, that may be in the hands of the receiver of the Wyoming Canal Company.

New certificates and bonds to be taken to represent original rights as against dissenting stockholders.

Persons holding stock or bonds in a fiduciary capacity may consent.

Claim of commonwealth or of creditors to money in hands of receiver not to be released.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 276.

An Act

Relative to the house and grounds of the Sisters of Saint Joseph, at Chestnut Hill, in the Twenty-second ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That the house and grounds of the Sisters of Saint Joseph, situated at Chestnut Hill, in the Twenty-second ward in the city of Philadelphia, be and the same are hereby exempted from all taxation, except taxes for state purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 277.

A Further Supplement

To an act to incorporate the Germantown Passenger Railway Company, approved the twenty-first day of April, one thousand eight hundred and fifty-eight.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Number of
board of mana-
gers may be re-
duced.

That it shall and may be lawful for a majority of the stockholders of the Germantown Passenger Railway Company, and they are hereby empowered, to reduce the number of their board of managers, of said company, from nine to three, including the president; and if, at any future period, the stockholders desire to add to their number of managers, they may increase the same to any number, not exceeding twelve, including the president: *Provided however,* That such diminution, or increase, shall be made at a meeting of the stockholders, specially convened for such purpose, to be held at their usual place of business, after two weeks' notice, in one or more of the daily papers of the city of Philadelphia: *And also provided,* That such meeting shall be held at least one month before the second Monday in June, being the annual period for electing managers for said company.

Proviso.

Proviso.

Managers au-
thorized to sell
a portion of
their real estate.

SECTION 2. That the managers of the said company are hereby authorized and empowered to sell and convey, either upon ground rent or in fee simple, or taking a mortgage for the whole or part of the consideration money, any portion of the real estate now owned by them, as the board of managers may deem it unnecessary for the said company to hold, for the use of the said railway; such sales to be made, either at public or private sale, and for such price, and upon such terms, as the board of managers may think fit.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 278.

An Act

To incorporate the Cooper Fire-Arms Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George W. Cass, Thomas M. Howe and James M. Cooper, Commissioners. of Allegheny county, or a majority of them, be and they are hereby appointed commissioners to open books, after having given not less than ten days' notice thereof, in at least one newspaper published in the city of Pittsburg, to receive subscriptions, and organize a company, under the name, style and title **Style.** of the Cooper Fire-Arms Manufacturing Company, and as such shall have power to take and hold lands, and real estate, in the county of Allegheny, not exceeding, in quantity, at any one time, five acres, and to erect thereupon such building, et cetera, as may be necessary to carry out the objects of the corporation to manufacture Cooper's patent revolving pistols, and such other fire-arms, and implements connected therewith, as may be deemed necessary, and to vend the same. **Authorized to hold real estate and erect buildings.**

SECTION 2. That the capital stock of said company shall be two hundred and fifty thousand dollars, divided into ten thousand shares, of twenty-five dollars each; and the said company is hereby declared and made capable in law to sue and be sue, implead and be impleaded; to have a common seal, and the same to alter at pleasure; to sell and convey their real estate, and to purchase, hold and sell such personal property as may be necessary to promote the objects of the corporation. **Capital stock.**

SECTION 3. That the affairs of said company shall be managed by a board of not less than five, nor more than nine, directors, one of whom shall be president, who shall be chosen by the stockholders; the first election shall be held within sixty days after this act shall take effect, of which election public notice shall be given, at least two weeks, in one newspaper, published in the city of Pittsburg, and subsequent elections at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock, and the required instalments paid in, shall entitle the holder to one vote, in person or by proxy: *Provided,* That in case of failure to hold an election, under this act, the former directors shall continue in office until their successors be duly elected; and in case of resignation, or death, of the president, or any director, the remaining directors shall elect a person to serve until the next annual election. **Seal.** **Privileges.** **Management.** **Election of directors.** **Votes.** **Former directors to act in case of failure to elect.**

SECTION 4. That the stock of said company shall be transferable, agreeably to the by-laws which may be adopted by the directors, and that dividends may be declared, and paid, whenever the directors deem it advisable, but said dividends **Stock transferable.** **Dividends.**

- shall in no case exceed the amount of actual net profits acquired by the corporation, and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall, severally, be liable to the corporation, in their individual capacities, for the excess so divided and paid; and the said company shall pay into the treasury of the state a bonus of two and one-half per centum, on the capital stock hereby authorized, in three equal annual instalments, in lieu of any tax on dividends, the first whereof shall be paid within one year from the date of the issue of letters patent, herein provided for.
- Bonus.**
- When this act to take effect.** SECTION 5. That this act shall not take effect until one thousand shares shall have been subscribed for, and at least one-half of that amount have been paid in, of which a statement, containing the names of the subscribers, and the amount subscribed for, by each, shall be given to the governor, to be filed in the office of the secretary of the commonwealth, whereupon the governor shall issue letters patent to the said subscribers.
- Letters patent.** SECTION 6. That the said corporation may issue bonds, and **May issue bonds secured by mortgage.** sell the same, at their market value, notwithstanding it may be less than par, which bonds may be secured by mortgage of the real estate and franchises of the company, but no bond shall be issued for a less amount than one hundred dollars.
- Individual liability.** SECTION 7. That the stockholders of said company shall be individually liable, jointly and severally, for debts due mechanics, workmen and laborers employed by said company, and for country provisions furnished for said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be held individually liable for any such debt, unless sued for within six months after such debt shall have been contracted.
- Proviso.**
- Reservation.** SECTION 8. That the legislature hereby reserves the right to amend, alter and repeal this charter, at any time, in such manner, however, as that no injustice shall be done to the stockholders; and this charter shall extend for a period of twenty years.
- Limitation.**

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 279.

An Act

To incorporate the Line Lexington Fire Insurance Company of Bucks and Montgomery counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Peter D. Bloom, Jacob Pruner, Charles W. Everhart, Enos Artman, John A. Loux, Jacob S. Kratz, Ephraim Walter, Abraham Stover, Joseph Kriebel, C. Todd Jenkins, John Robbins, Samuel Detwiler and John S. Heebner, their associates, successors and assigns, are hereby created and constituted a body corporate, by the name, style and title of the Line Lexington Mutual Fire Insurance Company of Bucks and Montgomery counties, and by that name shall have perpetual succession, with all the legal incidents of a body politic and corporate, in law, and may sue and be sued, and use a common seal, and alter and change the same, at pleasure, make all by-laws, rules and regulations that shall be necessary, and convenient, for the government of said corporation, not inconsistent with the constitution or laws of the United States, nor of this commonwealth, and generally to do all and singular the matters, which to them lawfully appertain to do for the well-being of said corporation, and the management of the affairs thereof.

Corporators.

Title.

Privileges.

SECTION 2. That the said corporation shall not hold any property, except what may be absolutely necessary for the transaction of their corporate business, and all real estate purchased by said company, for the purpose of collecting, or securing, debts, shall escheat to this commonwealth, unless the same shall have been sold and disposed of, and passed, *bona fide*, from the possession and ownership of said corporation, within three years next succeeding such purchase, nor shall any by-laws be repugnant to this instrument, the constitution of the United States, or to this commonwealth.

How real estate may be held.

SECTION 3. That the power of this association shall be vested in thirteen managers; at the first meeting of the board of managers of the Line Lexington Mutual Fire Insurance Company of Bucks and Montgomery counties, which shall be held after the passing of this act, the members of said board shall be divided into four classes, three of which shall consist of three members each, and one of four members; the seats of the first class shall be vacated at the expiration of the first year, of the second class, at the expiration of the second year, of the third class, at the expiration of the third year, and of the fourth class, at the expiration of the fourth year, so that one class shall be chosen every year; and if vacancies occur in the board, by death, resignation, or otherwise, the president, for the time being, may supply such vacancies by appointment,

Election of managers.

Classification of

Vacancies.

- until the next annual meeting, when the members of the company shall fill such vacancies, by ballot, each member to be entitled to one vote; no proxy votes shall be given.
- Votes.** SECTION 4. That each insurer in, or with, this company, shall be a member thereof, during the term of his, or her, policy, and no longer.
- Insurers to be members.**
- Meetings.** SECTION 5. That general meetings of this company shall be held, annually, on the first Monday of November, at, or near, the village of Line Lexington, in the county of Bucks, and also, whenever called by the board of managers, or whenever requested by twenty members; and the members shall, at such general meeting, pass all by-laws, rules and regulations, necessary for the well governing of the affairs of the corporation, or vest the power, so to do, in the board of managers; all elections shall be by ballot, and each member entitled to one vote; the elections shall be conducted by three judges, chosen by the members present, for that purpose, who shall certify, under their hands, the result of said election, and the same shall be filed with the papers of the corporation; the managers, for the time being, shall choose, from among their own members, one to be president, and shall, from time to time, as it may become necessary, choose a treasurer, also appoint a secretary, and such other agents, and officers, as may be necessary, and fix their respective fees, and salaries, and require such bonds, for the faithful discharge of the duties assigned, as may be deemed necessary, or the interests of the company may require, and shall have full power to suspend, remove, or displace any such officer, or agent, of the company, and supply any vacancy which may happen, by death, removal or resignation, from among their own members, until the next election; and they shall procure a book, or books, wherein shall be fairly, and legibly, entered, all the transactions of said board of managers; which books shall, at all times, be open for the inspection of the members of said corporation, and a copy, or copies, thereof, signed by the president, and attested by the secretary, for the time being, shall be deemed, and taken, as legal evidence against the corporation, as the transaction of said board of managers, a copy of which shall be furnished, at the request of any member; and said officers shall, at the annual meeting of members, present to the company a general and detailed statement of its affairs.
- Elections, how to be conducted, &c.**
- Officers.**
- Bonds of.**
- Powers and duties of managers.**
- Insurances.** SECTION 6. That the president, and managers, shall have full power, on behalf of said corporation, to make insurances against loss by fire, and storm, on any house, tenements, manufactory, barn, or other buildings, and on goods, wares, merchandize, and effects, and on household furniture therein, and on hay, grain, and other agricultural products, in barns, stacks, or otherwise stored, and generally on all kinds of goods, wares, merchandize and effects, (except books of accounts, bills, bonds, ready money, jewels, plate, paintings, engravings, powder, and powder mills, distilleries, print works, cotton, woollen and varnish manufactories,) to make, execute and perfect such, and so many, contracts, bargains, agreements, policies, and other instruments, as shall, or may, be necessary, and as the nature of the case shall, or may, require; and every such contract, agreement or policy, to be made by said corporation, shall be signed by the

president, and attested, and signed, by the secretary, and also shall be signed by the party insured; and the president and managers are hereby empowered to have made, and procure, a seal, with such device as they may deem proper, to be used, Seal. by them, as the common official seal of the company.

SECTION 7. That it shall be lawful for said company to employ, and improve, all moneys received by them, and the profits thereof, in the purchase of any ground rents, or mortgages, or any loan, or stocks of the United States, or of this commonwealth; and no money shall be drawn from the funds of the company, for the purpose of making dividends, or dividing profits, nor for other purposes, than to defray the current, and incidental, expenses of the corporation; and when the profits, or interest, on the company's funds, shall, annually, exceed the current, and incidental, expenses, by the sum of one hundred dollars, then such excess, if thought expedient, and judicious, by the board of managers, may be applied to the payment of such losses as any member of said company may be justly entitled to; and when the just demands of any insured, in said company, or member thereof, shall exceed the amount of its available funds, on hand, such sums, as shall be necessary to pay the same, shall, without unnecessary delay, be assessed by the board of managers, on the insurances, each member to pay in proportion to the amount he, or she, has insured, and publish the same; and all, and every, of the members of the company shall pay into the hands of the treasurer, his, her, or their proportionable parts of such rates, within sixty days after such publication; and if any member shall refuse, or neglect, to pay, as aforesaid, for the period of ninety days, his, her, or their policy, or policies, shall become suspended until payment shall have been made.

Funds, investment of, &c.
Prohibition.
Losses, payment of.
Assessments authorized.
Policies to be suspended for non-payment.

SECTION 8. The offices of secretary and treasurer, respectively, shall be at, or near, Line Lexington aforesaid.

Location of offices.

SECTION 9. Every member of this company, who shall sustain any loss by fire, or storm, shall give notice, in writing, within thirty days, to the president, or secretary, of said company, who shall appoint a committee of three, from the board of managers, who shall assess the damages, and report the same to the board of managers, through the president, or secretary, within two weeks from the time of their receiving notice of their appointments, and the board of managers shall, with all convenient expedition, after receiving said report, and ascertaining the sum which said party shall be lawfully entitled to, make provisions and payment as is herein specified.

Notice of losses to be given.
Mode of assessing damages.

SECTION 10. The members shall, at their general meeting, fix such rates of insurance, and incidental charges, and fees, as may be deemed equitable and proper, or vest the power so to do in the board of managers; and any person, who shall become a member of this corporation, by effecting insurance therein, shall, the first time he effects insurance, and before he, she, or they, receive his, her, or their, policy, pay the rates that shall have been fixed and determined upon, and no premium, so paid, shall be withdrawn from the company during the continuance of its charter.

Rates of insurance, &c.

SECTION 11. That in case any insured, named in any policy, Transfer of policies, relative to

- or contract of insurance made by the said corporation, shall sell, convey, or assign, the subject insured, it shall be lawful for such assured to assign, and deliver to the purchaser, such policy, or contract of insurance, and such assignee shall have all the benefit of such policy, or contract of insurance, and may bring and maintain a suit in his, or her, own name: *Provided*, That before any loss happen, he, she, or they, shall obtain the consent of the president, or secretary, to such assignment, and have the same endorsed on, or annexed to, such policy, or contract of insurance, to be according to the foregoing directions for that purpose, and not otherwise.
- Consent of president and secretary necessary.** SECTION 12. Nothing in this charter shall be so construed as to allow any of the funds of the association to be used for banking or manufacturing purposes.
- Funds not to be used for banking, &c.** SECTION 13. If, at any time, it shall appear that the chartered privileges hereby granted are injurious to the public welfare, the power thereof to repeal shall not affect any engagements to which the said company may have become a party previously thereto, and that the said company shall have a reasonable time to bring their accounts to a final settlement.
- Repeal of privileges not to affect engagements.** SECTION 14. Suits of law may be prosecuted, and maintained, by any member, against the corporation, for losses, or damage, insured by them, if payment is withheld for more than ninety days after the company is notified of such losses: *Provided nevertheless*, That the board of managers may, if they think proper, re-build, or re-place, the property lost, or damaged, in which case a reasonable time shall be allowed to re-build or re-place the same.
- Suits for losses, relative to.** SECTION 15. Committees appointed by the president, or secretary, pursuant to the ninth section of this charter, shall have power and authority to issue subpoenas to any person, or persons, as witnesses, and to compel, by attachment, the attendance of such witness, or witnesses, at such time and place as shall be designated in the subpoena, or subpoenas, and on the attendance of such witness, or witnesses, the said committee, or either of them, shall have authority to administer an oath, or affirmation, to such witness, or witnesses, to testify in relation of such matters as form the subject matter of investigation by such committee; and every such witness shall be entitled to six cents mileage, per mile, direct, or three cents, circular, necessarily traveled by him, and also, sixty-two and a half cents for each and every day he shall necessarily attend before such committee.
- Proviso.**
- Committees appointed may compel attendance of witnesses and administer oaths.**
- Pay of witnesses**

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 280.

An Act

To incorporate the Moravian College and Theological Seminary, at Bethlehem, Pennsylvania.

WHEREAS, The church of the United Brethren (commonly called Moravians) had, for a long time, a collegiate and theological institute connected with the boarding school at Nazareth, but in the year one thousand eight hundred and fifty-eight, removed the same to the borough of Bethlehem, and established, in the said borough, a college, for the education of male persons in the various branches of science, literature, and the ancient and modern languages, as likewise a department of the same for the training and preparing of young men for the gospel ministry: Preamble

And whereas, It is deemed, by the authorities of said church, to be advisable and necessary, for the more convenient management of the concerns of said college, to have said college incorporated; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Right Reverend John Christian Jacobson, Bishop, and the Reverend Francis Florentine Hagen, and the Reverend Sylvester Wolle, all of the borough of Bethlehem, duly elected by the synod of the Northern district of the American Province of the United Brethren, a board of direction of the ecclesiastical affairs of said church, in said district, and likewise constituted, by virtue of their office, the board of trustees of said college, and such other persons as may be hereafter appointed, their associates, or successors, according to the rules and regulations of said branch of the church of the United Brethren, be and they are hereby constituted a body corporate and politic, in fact and in law, by the name and style of the Moravian College and Theological Seminary, and by that name, shall be capable of perpetual succession, may sue and be sued, may have Corporators. and use a common seal, and alter and change the same at pleasure, and shall also be capable to accept, and take, by devise, grant, bargain, sale, or otherwise, any estate, or property, real or personal, and the same to hold and enjoy, or to sell and convey, lease, or mortgage, as fully and absolutely, in all respects, as any natural person might do: *Provided however*, That the clear annual income of the estates and properties of said corporation, exclusive of any lands, or tenements, that may be occupied by said college for its accommodations, or that of its officers, or professors, and exclusive of income from students, shall not exceed the sum of ten thousand dollars. Style. Privileges. Proviso.

SECTION 2. That the trustees already appointed, or who shall hereafter be appointed, in accordance with the fundamental Powers and duties of trustees.

	appointed their associates, or successors, according to the rules and regulations of said branch of the church, of the United Brethren, be and they are hereby constituted a body corporate, and politic, in fact, and in law, by the name and style of the Moravian Seminary for Young Ladies, at Bethlehem, Pennsylvania, and by that name, shall be capable of perpetual succession, may sue and be sued, may have and use a common seal, and alter and change the same at pleasure, and shall also be capable to accept, and take, by devise, grant, bargain, sale, or otherwise, any estate, or property, real, or personal, and the same to hold and enjoy, or to sell, or convey, lease, or mortgage, as fully and absolutely, in all respects, as any natural person might do: <i>Provided however</i> , That the clear annual income of the estates, and properties, of said corporation, exclusive of any lands, or tenements, that may be occupied by said school, for its accommodations, or that of its officers, or professors, and exclusive of income from students, shall not exceed the sum of ten thousand dollars.
Name.	
Privileges.	
Proviso.	
Powers and duties of trustees.	SECTION 2. That the trustees, already appointed, or who shall hereafter be appointed, in accordance with the fundamental statutes, which govern the church of the United Brethren aforesaid, shall have the care and management of said school, and of its estates, and properties, and shall have power to make all needful by-laws, and regulations, for the appointment of competent professors, and teachers, for the fixing, and payment, of all salaries, for the fixing of prices of the board, and tuition of students, for the studies, and exercises, of the students, and for the general well-being of said school: <i>Provided</i> , That the said statutes, by-laws, and regulations, shall not be inconsistent with the constitution, and laws, of this commonwealth, or of the United States, or the enactments of the synod of said church of the United Brethren.
By-laws.	
Proviso.	
Misnomer.	SECTION 3. That no misnomer, or misdirection, of the said corporation, in any will, deed, grant, or other instrument of writing, shall vitiate, or defeat, the same, but that the same shall take effect in the same manner as if said corporation were rightly named therein: <i>Provided</i> , That it is sufficiently described to ascertain the intention of the parties.
Proviso.	
Degrees, diplomas, &c.	SECTION 4. That the trustees, in connection with the president, or principal, of said seminary, and his assistants, shall have power to grant, and confer, such degrees, in the liberal arts and sciences, or such branches thereof, to such students of the seminary, or others, as, from their proficiency in learning, they may deem justly entitled to such honors, and such as are usually granted by institutions of a similar kind, and to grant diplomas, or certificates, under their common seal, as may authenticate and perpetuate the memory of such graduation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 283.

An Act

To incorporate the Linden Hall Seminary, at Litiz, Lancaster county.

WHEREAS, The church of the United Brethren (commonly called Moravians,) has maintained a boarding school for young ladies, at Litiz, Lancaster county, since the year one thousand eight hundred :

And whereas, The course of studies pursued in said institution embraces the various branches of the arts, sciences, literature, and the ancient and modern languages, usually pursued in the best institutions of a similar kind :

And whereas, It is deemed by the authorities of said church to be advisable and necessary, for the further well-being and the more convenient management of the concerns of said school, to have said school incorporated ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Right Reverend John Christian Jacobson, Bishop, and the Reverend Francis Florentine Hagen, and the Reverend Sylvester Wolle, all of the borough of Bethlehem, duly elected, by the synod of the Northern district of the American Province of the United Brethren, a board of direction of the ecclesiastical affairs of said church, in said district, and likewise constituted, by virtue of their office, the board of trustees of said boarding school, and such other persons as may be hereafter appointed their associates, or successors, according to the rules and regulations of said branch of the church of the United Brethren, be and they are hereby constituted a body corporate and politic, in fact and in law, by the name and style of the Linden Hall Seminary, at Litiz, Pennsylvania, and by that name, shall be capable of perpetual succession, may sue and be sued, may have, and use, a common seal, and alter and change the same at pleasure, and shall also be capable to accept and take, by devise, grant, bargain, sale, or otherwise, any estate, or property, real, or personal, and the same to hold and enjoy, or to sell, or convey, lease, or mortgage, as fully and absolutely, in all respects, as any natural person might do : *Provided however*, That the clear annual income of the estates and properties of said corporation, exclusive of any lands, or tenements, that may be occupied by said school for its accommodations, or that of its officers, or teachers, and exclusive of income from students, shall not exceed the sum of ten thousand dollars.

SECTION 2. That the trustees already appointed, or who shall hereafter be appointed, in accordance with the fundamental statutes, which govern the church of the United Brethren aforesaid, shall have the care and management of said school, and

of its estates and properties, and shall have power to make all needful by-laws and regulations, for the appointment of competent professors and teachers, for the fixing and payment of all salaries, for the fixing of prices of board and tuition of students, for the studies and exercises of the students, and for the general well-being of said school: *Provided*, That the said statutes, by-laws, and regulations, shall not be inconsistent with the constitution and laws of this commonwealth, or of the United States, or the enactments of the synod of said church of the United Brethren.

Misnomer SECTION 3. That no misnomer, or misdirection, of the said corporation, in any will, deed, grant, or other instrument of writing, shall vitiate, or defeat, the same, but that the same shall take effect in the same manner as if said corporation were rightly named therein: *Provided*, That it is sufficiently described to ascertain the intention of the parties.

Proviso. SECTION 4. That the trustees, in connection with the president, or principal, of said seminary, and his assistants, shall have power to grant and confer such degrees in the liberal arts and sciences, or such branches thereof to such students of the seminary, or others, as, from their proficiency in learning, they may deem justly entitled to such honors, and such as are usually granted by institutions of a similar kind, and to grant diplomas, or certificates, under their common seal, as may authenticate and perpetuate the memory of such graduation.

Authorized to grant diplomas and confer degrees.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 284.

An Act

To amend the charter of the Gettysburg and Petersburg Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the thirteenth section of an act of assembly, incorporating the Susquehanna and Lehigh Turnpike Road Company, approved the nineteenth day of March, Anno Domini one thou-

said eight hundred and four, be so amended, so far as the same refers to the incorporation of the Gettysburg and Petersburg Turnpike Road Company, as to enable the president, and managers, of said company, to recover the same penalty, from any person, or persons, whomsoever, owning, riding in, or driving, any carriage of burthen, or pleasure, as aforesaid, or owning, riding, leading, or driving, any horse, or mule, or driving any hogs, sheep, or cattle, as aforesaid, shall, with an intent to defraud the said company, or to evade the payment of any of the tolls, or duties, aforesaid, pass therewith, through any public gate, or over any public road, or highway, as is now provided for in said act, against any person, or persons, passing through, along, or over, any private passage, or way, in the manner, and for the purposes, in said section named.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE.

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 285.

An Act

To prevent injury to side-walks, in the township of Wilkesbarre, Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this act, any person, who shall ride, drive, or lead, any horse, mare, or gelding, or mule, on any side-walk, in the township of Wilkesbarre, in the county of Luzerne, made for the accommodation of foot passengers, except riding, or driving, across said side-walk, going on or off from adjoining property, shall forfeit and pay the sum of five dollars, for every such offence; which penalty shall go to the supervisor of the district, in said township, where the offence was committed, to be expended in making, or mending, said side-walks; the said penalty may be recovered, in an action of debt, in the name of said township, before any justice of

LAWS OF PENNSYLVANIA,

the peace in said county, by any person who shall sue for the same.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No 286.

An Act

Changing the lines of Mount Pleasant township, Washington county, for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the farms, now occupied by William Lindsay, James K. Robb, Joseph Denny, of Mount Pleasant township, in the county of Washington, be and they are hereby annexed to, and shall form a part of, Cecil township, in said county, for school purposes; and all persons, now, or hereafter, residing on the same, shall have the privilege of sending their children, or inmates of their families, to the nearest school in the district to which they are hereby annexed: *Provided*, That all taxes levied on said farms, for school purposes, shall be paid into the treasury of Cecil township school district.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Dmoini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 287.

A Supplement

To the act to provide for the payment of the interest on the state debt, approved thirtieth of January, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of the act, entitled "An Act requiring the resumption of specie payments by the banks," approved the eleventh day of April, one thousand eight hundred and sixty-two, be and the same are hereby extended and continued to all banks that have been, or may hereafter be chartered, under the provisions of the act, entitled "An Act to establish a system of free banking in Pennsylvania, and to secure the public against loss from insolvent banks," approved March thirty-first, one thousand eight hundred and sixty, and the supplement thereto, approved May first, Anno Domini one thousand eight hundred and sixty-one, until the first Monday of March, Anno Domini one thousand eight hundred and sixty-four.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 288.

A Supplement

To an act, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to incorporate the Powelton Coal and Iron Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the powers and privileges conferred upon the Powelton Coal and Iron Company, by their act of incorporation, approved the first day of May, one thousand eight hundred and sixty-one, shall be extended to Centre, Westmoreland, Clearfield and Carbon counties: *Provided*, That the quantity of land that may be held and owned, by said company, in any one of said counties, shall not exceed six hundred acres: *Provided further*, That the said company shall pay, into the state treasury, a bonus of one-half of one per centum on their capital stock, if not already done, and upon any increase thereof; and shall also be liable to the payment of such taxes, upon dividends, as is, or may be, required by law; and that the stockholders, of said company, shall be, individually, liable, to an amount not exceeding the amount of stock held by each, for all debts due mechanics, workmen and laborers, employed by said company; and that so much of their act of incorporation, as is inconsistent herewith, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 289.

An Act

To authorize the Philadelphia and Erie Railroad Company to issue, to the county of Erie, the stock of said railroad company, in lieu of the stock of the Sunbury and Erie Railroad Company.

Preamble.

WHEREAS, The commissioners of the county of Erie have subscribed two hundred thousand dollars to the capital stock of the Sunbury and Erie Railroad Company, and have issued bonds of the county of Erie for that amount:

And whereas, The stock, so subscribed for, is specifically pledged for the redemption of said bonds, and cannot be transferred, unless in liquidation of said bonds:

And whereas, It may be to the mutual interest of the county of Erie, and the holders of the said bonds, that the restriction to transfer the same be removed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the county of Erie be and hereby is authorized to issue bonds, warrants, or certificates of indebtedness, in exchange for the bonds issued to the Sunbury and Erie Railroad Company, in payment of the stock of that company, subscribed for by the county of Erie.

SECTION 2. That the Philadelphia and Erie Railroad Company be and is hereby authorized, upon the commissioners of the county of Erie producing, to said company, a bond, or bonds, issued by the county of Erie, in payment for stock of the Sunbury and Erie Railroad Company, subscribed for by the county of Erie, to issue, from time to time, as required, an amount of the stock of the Philadelphia and Erie Railroad Company, equal to the bond, or bonds, thus presented, and endorse upon said bond, or bonds, as also upon the certificate, for two thousand shares of the stock of the Sunbury and Erie Railroad Company, issued to the county of Erie, for the two hundred thousand dollars subscribed by the county of Erie to the capital stock of the Sunbury and Erie Railroad Company, the amount, date and number of the certificate of stock of the Philadelphia and Erie Railroad Company thus issued, and which stock of the Philadelphia and Erie Railroad Company may then be transferred by the county of Erie, discharged from the lien aforesaid.

County authorized to issue bonds in exchange for certain.

Philadelphia and Erie railroad company, upon production of county bonds, to issue their stock to Erie county.

How bonds to be endorsed.

Stock may be transferred discharged of lien.

SECTION 3. That the county commissioners of Erie county, aforesaid, be and they are hereby authorized to sell the said two hundred thousand dollars stock of the Sunbury and Erie (now Philadelphia and Erie) Railroad Company, and apply the proceeds exclusively to the liquidation of the said two hundred thousand dollars bonds, issued in payment of the said subscription, by the county of Erie, to the capital stock of the said Sunbury and Erie (now Philadelphia and Erie) Railroad Company; and that the said county commissioners be and they are further authorized to levy and collect taxes, to create a fund to be held by the county as a special fund for the liquidation of said county bonds, or the balance of the same, if any remain unpaid on the first day of January, Anno Domini one thousand eight hundred and eighty-five, being the date of the maturity of the same.

County commissioners authorized to sell stock of Sunbury and Erie railroad co.

How proceeds to be applied.

Special fund for liquidation of bonds to be created by taxation

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to authorize the Philadelphia and Erie Railroad Company to issue, to the county of Erie, the stock of said railroad company, in lieu of the stock of the Sunbury and Erie Railroad Company," was presented to the governor on the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-three, and was not returned within ten days; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

J. ZIEGLER,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 3, 1863.

No. 290.

Supplement

To an act to incorporate the M'Cauley Mountain Railroad Company.

Re-organization	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Thomas Kimber, junior, and such persons as may be associated with him, in the purchase of the M'Cauley Mountain Railroad Company, in favor of Charles S. Smith, trustee, their successors and assigns, be and the same are hereby created a body corporate, in deed and law, under the name and style of the M'Cauley Mountain and Black Creek Railroad company, with power to hold the railroad, and its franchises, so purchased, under the same regulations and restrictions as are contained in an act incorporating the M'Cauley Mountain Railroad Company, approved the fifth day of May, Anno Domini one thousand eight hundred and fifty-four.</p>
Name.	<p>SECTION 2. That the said company shall have the right to construct, and hold, subject to all the regulations, and restrictions, contained in an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, additional, or lateral, roads connecting said M'Cauley Mountain Railroad with other railroads, or with</p>
Subject to.	<p>coal, or mineral, lands: <i>Provided</i>, That no such extension, or lateral road, shall exceed eight miles in length: <i>Provided</i></p>
Authorized to construct lateral roads.	<p><i>further</i>, That the said company shall transport, over their road, all mineral and agricultural products, and the cars of individuals, and companies, at moderate rates of charge, and at reasonable times; said rates of charge not to exceed two and one-half cents per ton per mile, for the use of said road, and motive power, for coal, or iron ore, and not to exceed four cents per ton per mile, for agricultural products, and other freight, except that fifteen cents per ton shall be the minimum price for which freight shall be carried over said road, or any part thereof; and the said company shall freely permit other companies, and individuals, to connect lateral, and branch, roads with their road, in order to the reasonable and proper use of the same; all connections to be built under the directions of said company.</p>
Limitation.	
Rates of charges	
Other companies and individuals may make connections.	

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and and sixty-three.

A. G. CURTIN.

No. 291.

An Act

To incorporate the "First Troop Philadelphia Cavalry."

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

That William H. Hart, Charles P. Fox, Moses Thomas, Chas. **Corporators.**

Macalester, David Paul Brown, Thomas Hale, Jr., Ed. M. Hopkins, Alexander Bacon, Henry Randall, Thomas Smith, Henry P. Borie, William S. Randall, William Camac, W. D. Lewis, Jr., D. B. Birney, R. Butler Price, Samuel J. Randall, Paul B. Goddard, William H. Taggart, M. Edward Rogers, J. Francis Maher, E. L. Reakirt, Robert E. Randall, Alfred Horner, Jr., John W. Grigg, John A. Brown, Jr., James West, Jr., Alexander Helmesley, R. G. Deveraux, William D. Smith, J. P. Wilson, Samuel F. Jacobs, C. J. Lewis, J. D. Thomas, E. W. Smith, E. A. Lewis, F. Klett, Jr., S. E. Smith, Joseph F. Tobias, H. T. Desilver, Michael Weaver, H. B. Goddard, E. G. Trasel, A. C. Cat-tell, O. W. Barnes, Robert E. Gray, Jr., A. M. Conover, E. W. White, W. S. Davis, E. S. Whelen, Jr., J. P. Wood, W. W. Wood, W. H. Merritt, J. Thompson, R. P. Kane, Henry Ashburst, Charles L. Leiper, W. C. Baker, F. E. Felton, W. P. Conover, J. Lober Welsh, J. L. Johnson, W. H. Howell, Frank Barton, J. Wilkins, Jr., W. H. Canby, James D. Wagner, R. S. Mason, P. A. Browne, George Martin, A. L. Snowden, George E. Benson, W. Hall Mercer, O. Wilson Davis, and their associates, who are now members of the "First Troop Philadelphia City Cavalry," and all others who shall hereafter become members of the same, shall be and are hereby erected, and declared, to be a body politic, and corporate, by the name, and style, and title, of "The First Troop Philadelphia City Cavalry," and the same shall have perpetual succession, and shall be able to sue, and be sued, implead, and be impleaded, in all courts of record, and elsewhere, and the said association shall, and may, make, and have, a common seal, and the same to change, alter and renew, at pleasure ; and also to ordain, establish, and put into execution, such by-laws, rules and regulations, as may be necessary, and proper, for the government of the corporation, not being inconsistent with this charter, or the constitution and laws of the United States or of this commonwealth, and elect, or choose, such officers as may be necessary, and generally to do all, and singular, the matters and things which, to them, it shall lawfully appertain to do, for the well-being of the said corporation, and the due management, and ordering the affairs thereof.

Seal.**By-laws.**

SECTION 2. That the said corporation is hereby authorized to **Privileges.**
take, have, hold and enjoy, by purchase, or otherwise, to them and their successors, lands, or tenements, and to erect such

Income.

Proviso.

building, or buildings, as may be necessary, for the purpose of an armory, with the necessary furniture, fixtures, and appliances, with the right, from time to time, to lease, grant, bargain, sell, alien, or dispose of, any part, or parts, or the whole thereof, either absolutely, or with a reservation of ground rent, or upon mortgage: *Provided*, That the clear yearly income of the said corporation, exclusive of donations, gifts or dues, shall not exceed the sum of three thousand dollars: *And provided further*, That nothing herein contained shall be construed to alter, or repeal, any act of assembly now in force, in reference to "The First Troop Philadelphia City Cavalry."

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 292.

An Act

To annul the marriage contract between William Allen, senior, and Catharine, his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between William Allen, senior, and Catharine Blake, his wife, of the county of Lycoming, be and the same is hereby annulled, and the said parties released, and set free, and discharged from said contract, and the duties and obligations thereunder, as fully, and effectually, and absolutely, as if said contract had never been made.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 293.

An Act

Relative to the real estate of Jacob Scholl, deceased.

WHEREAS, Peter Scholl and Jacob Tice have been, and may be, as administrators of Jacob Scholl, deceased, obliged to purchase, at sheriff's sale, in the county of Schuylkill, real estate, under execution process against William Kramer and Sarah Kramer, or one of them, issued by them as administrators as aforesaid, in order to make the most for the estate of said deceased, and also, to take back real estate which said William Kramer undertook to purchase of said deceased, in his life time, but is unable to pay for, and desires to re-convey any equitable interest in the same, and thus extinguish his indebtedness for balance of purchase money:

And whereas, The debts due by said deceased have all been paid:

And whereas, A portion of the heirs of said deceased are minors, and incapable of assenting to a partition, or ratifying the acts of said administrators:

And whereas, In this case, it is doubtful whether the courts have jurisdiction to decree a sale of the real estate, so acquired by the administrators as aforesaid, although a sale, public, or private, is deemed most advantageous for all interested, and the only course that would make said real estate practically productive; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Peter Scholl and Jacob Tice, administrators upon the estate of Jacob Scholl, deceased, be and they are hereby empowered to purchase, at sheriff's sale, upon process issued, by them, as administrators as aforesaid, and to take, in payment of balance of purchase money due thereon, any real estate which may be sold, or taken, as aforesaid, for the use of the heirs of the said deceased, in the proportions that such would have been entitled to in the same, had said real estate descended from said Jacob Scholl, deceased, to said heirs, and to sell the same at private, or public, sale, to such purchaser, or purchasers, and at such sum, or sums, as shall be first approved by the heirs of said deceased, who are in their majority, and by the orphans' court of Schuylkill county; and before such sale, or sales, shall be approved by said court, said administrators shall give bond, with sureties, to be approved by said court, for the faithful application and payment over of the proceeds of said sale, or sales, after deducting their reasonable expenses, to the parties entitled to the same; and upon such sale, approval and delivery of the deed, or deeds, to the purchaser, or purchasers, such sale, or sales, shall be good and available, in law, to pass, as full and

entire an estate, in fee simple, or otherwise, which passed, by the sheriff's sale, or sales, or purchase, as aforesaid.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 294.

An Act

For the improvement of certain roads in Buffalo township, Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the citizens of Buffalo township, in the county of Washington, are hereby authorized and empowered to subscribe money and labor to such persons as may be, by consent, designated by them, for the purpose of receiving the same; said money and work shall be appropriated and employed to grading and macadamizing the road leading from the S. bridge, on the National road, to and through Taylorstown, to a bridge on Buffalo creek, on the farm of James Hodgens; also, the roads diverging from said road to the top of Taylorstown hill and the Taylorstown depot; and the supervisors and auditors of said township are hereby authorized and required to allow such citizens as shall subscribe hereafter, or have heretofore subscribed money, or labor, for said purpose, a credit for the amount so subscribed, in payment of their road taxes; and if the same is greater than their road taxes for a single year, they shall be allowed a credit on their taxes, for succeeding years, until the same is paid: *Provided*, That no credit shall be allowed, to such subscribers, unless they produce a certificate from the persons chosen to receive said subscriptions as aforesaid, of the amount of money, or labor, subscribed by them, respectively, and that they have paid the same, in full.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 295.

An Act

Relative to the draining of wet or spouty lands in certain counties.

WHEREAS, Large quantities of wet and spouty lands exist in this commonwealth, which might, for agricultural uses, by draining, be rendered productive and valuable, but for want of some legal authority to continue, or extend, drains upon, or over, the land to which the water naturally flows, they cannot be so improved; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That when the owner, or owners, of wet or spouty land, in this commonwealth, shall desire to improve the same, for agricultural purposes, by surface, or under, drains, or both, and when, from any cause, it becomes necessary to extend said drains upon, or over, the land of other owners, in order to render them effectual, the person, or persons, so desiring to drain, may present a petition to the court of quarter sessions of the county wherein such land may be, setting forth the situation thereof, and the necessity for an extension of the proposed drain, or drains, upon, or over, the land of such other owners, specifying the probable extent thereof; and thereupon, the said court shall appoint three judicious persons to view the proposed drain, or drains; and said viewers shall view the same, and if they, or a majority of them, shall agree that there is occasion for such extension of such drain, or drains, in order to effect the agricultural improvement, and development, of said land, they, or a majority of them, shall proceed to lay out the same, having respect to the shortest distance, and the best ground, for the location thereof, and in such manner as shall do the least injury to private property, and also be, as far as practicable, agreeable to the desire of the petitioners, and make report to the next term of said court, of their proceedings; and said viewers, or a majority of them, shall assess the damages, on behalf of the person entitled thereto, if any, in their opinion, will ensue from such extension, and report the same, together with a plot, or draft, of the drain, or drains, by them laid out, specifying also whether the same shall be surface, or under, drains, and the expense of the said views shall be paid by the persons applying for the same; due notice, of the time and place of meeting of said viewers, to be given to all parties in interest: *Provided,* That if any person, by mill-dam, hereafter constructed, or other obstruction, hinder the drainage of land adjoining their own, the viewers appointed, as aforesaid, shall, upon petition of the owner of said land, assess, and report, the damage sustained by such obstruction, subject to the provisions of section first of this act.

Preamble.

Persons desiring to drain their lands to present petition to court.

Court to appoint three viewers.

Their duties and powers.

Report to be made.

Damages.

Expense of views.

Notice required

Obstructions to drainage, relative to.

Certain provisions extended to cases under this act.

When report confirmed and damages paid, court to issue order to petitioners.

Drains to be kept in good order.

Proviso.

To extend only to certain counties.

SECTION 2. That the twenty-fifth, fifty-first, fifty-third and sixtieth sections of the act of the thirteenth of June, one thousand eight hundred and thirty-six, entitled "An Act relating to roads, highways and bridges," be and the same are hereby extended to all cases arising under this act.

SECTION 3. That if any of said reports, in favor of an extension of such drain, or drains, shall be confirmed by the court, proof being first made in all cases wherein damages have been assessed, that the said damages have been paid to the party to whom the same were awarded, or to the county treasurer, for the use of such party, the said court shall direct their clerk to issue an order, to the party petitioning, authorizing him, or them, to excavate, and construct, said drain, or drains, in the manner as laid out and directed in and by the said report; and the said petitioners, their heirs and assigns, shall be empowered, and required, to keep and maintain the said drains, when made, in good order and repair, and in default thereof, the said court shall have power, upon due proof of the facts, to them made, and full hearing of the parties concerned, to order and direct the said drains to be closed up and vacated: *Provided*, That nothing, in this act contained, shall authorize the overflowing of any land not specially provided for in the said report: *And provided*, That the provisions of this act shall extend only to the counties of Snyder, Juniata, Dauphin, Lycoming, Bradford, Union and Indiana.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 296.

An Act

To vacate a portion of Church street, in the Twenty-Fourth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Church street, between Forty-First street and Forty-Second street, in the Twenty-Fourth ward of the city of Phila-

delphia, as laid down on the plan of said city, and not opened, be and the same is hereby vacated.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 297.

An Act

Fixing the compensation of the County Treasurer of Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county treasurer of Delaware county shall be entitled to retain one per cent. out of all moneys, except state taxes, not exceeding sixty-five thousand dollars, received by him, by virtue of his office, and out of all moneys in excess of said amount, he shall be entitled to retain one-fourth of one per cent. as a compensation for the service: *Provided,* That such compensation shall not, in any case, exceed the sum of one thousand dollars per annum, nor be less than three hundred.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 298.

An Act

Authorizing John Ransom, of Montoursville, to establish and maintain a Ferry over the Susquehanna river, near the "Cannon Hole," in Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Ferry authorized.

Location.

To be kept in good order, &c.

Subject to. Prohibition.

Authorized to convert it into either a rope or steam ferry.

Navigation not to be impeded.

Ferry may be abolished.

Damages.

That a public ferry is hereby established across the river Susquehanna, from land of John Ransom, near his saw mill, on the north side of said river, to the land of Mr. Sechler, on the south side of said river, near the Philadelphia and Erie railway, in the county of Lycoming.

SECTION 2. That John Ransom, of Montoursville, his heirs and assigns, shall own and establish, and have the exclusive right to use, said ferry, and keep the same in good order and repair, and furnish all needful facilities for crossing said river, and receive such tolls as are customary and allowed, by law, to be regulated by the court of quarter sessions of Lycoming county; and the said ferry, and the owners thereof, shall be subject to all general laws of this commonwealth regulating ferries.

SECTION 3. That all persons are hereby prohibited from using the said river, for the purposes of a ferry, for the space of one mile above and below said ferry.

SECTION 4. That the said John Ransom, his heirs and assigns, shall have the right to establish and operate said ferry, by means of ordinary boats, or convert said ferry either into a rope, or steam ferry, if he, or they, shall deem it advisable, and have the privilege of erecting posts, et cetera, on any land contiguous to, or adjoining, said landings: *Provided*, That the navigation of said river shall not be impeded; and that the said ferry may be abolished, by law, whenever the public interest may require it, in such manner, however, that no injustice shall be done to the said John Ransom, his heirs, or assigns: *Also provided*, That the said John Ransom, his heirs and assigns, shall pay to the owner, or owners, of the land, or lands, on which the landings may be made and the said posts erected, all damages which may accrue to said owner, or owners, in consequence thereof; which said damages, if they cannot be amicably arranged, shall be assessed by three disinterested persons, to be appointed by the court of quarter sessions of Lycoming county, and their report and proceedings shall be the same, in every respect, as in the case of laying out and opening roads under existing laws.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 299.

An Act

Relative to obstructions in Loyalsock creek and its tributaries, in the counties of Lycoming and Sullivan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the fourth section of the act of May third, one thousand eight hundred and fifty, entitled "An Act to incorporate the Tioga and Jackson Plank road Company, and relative to obstructions in certain rivers, creeks and other tributaries in the counties of Tioga, Potter and Lycoming, be extended to the Loyalsock creek, and such of its tributaries as have been declared public highways, in the counties of Lycoming and Sullivan.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 300.

An Act

To vacate a part of Sixty-Second street, in the Twenty-Fourth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That that part of Sixty-Second street, in the Twenty-Fourth ward of the city of Philadelphia, which runs westwardly from

the Darby Plank road to the Delaware county line, be and the same is hereby vacated.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 301.

A Supplement

To an act to authorize the erection of a poor house by the township of Wilkesbarre, in the county of Luzerne.

Preamble.

WHEREAS, By an act of the general assembly, of the state of Pennsylvania, approved on the second day of April, Anno Domini one thousand eight hundred and sixty, the township of Wilkesbarre, in Luzerne county, was authorized and empowered to erect a poor house, for the accommodation of the poor of said township :

And whereas, By a supplement to said act, approved on the first day of March, Anno Domini one thousand eight hundred and sixty-two, the townships of Plains, Hanover, Newport and Plymouth, all in said county, were annexed to, and made a part of, the district named in the first act aforesaid, under the style and title of the Directors of the poor of the Central district, in the county of Luzerne, with power, on the application of a majority of the tax-payers of any township, or borough, to annex said township, or borough, to the Central district aforesaid, upon payment of a fair, and equitable, proportion of the cost, and expenses, of erecting the poor house aforesaid :

And whereas, The poor district of the borough of Wilkesbarre, in Luzerne county, having applied to be annexed to the said Central district, has been so annexed, and the court of quarter sessions, of Luzerne county, has duly appointed Arnold Bertels, of the borough of Wilkesbarre, a director for said borough, of said Central district, to hold said office, subject to the provisions of the act aforesaid, until the second Tuesday of January, Anno Domini one thousand eight hundred and sixty-eight ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the borough of Wilkesbarre, in the county of Luzerne, be and it is hereby annexed to, and made a part of, the Central district, in the county of Luzerne: *Provided*, That Arnold Bertels, who has been appointed, by the court of quarter sessions, a director for said borough, shall pay, or secure to be paid, to said Central district, the sum of four thousand dollars, that being the proportionate share, of said borough, of the cost and expense of erecting the poor house by the township of Wilkesbarre.

The borough of Wilkesbarre annexed to Central poor district.

Proportionate share of cost of erecting house to be paid.

SECTION 2. That Arnold Bertels, the director appointed, as aforesaid, shall have full power, and authority, to assess, levy and collect, a special tax, or taxes, to be levied of persons and property, subjects and things, taxable for county purposes, in said borough, for the payment of the proportionate share of said borough aforesaid; and to collect said special tax, or taxes, a collector may be appointed by said director, who shall give security in the same manner, exercise the same powers, and be liable to the same penalties, as provided in the act of the first of March, Anno Domini one thousand eight hundred and sixty-two, relative to the townships constituting the Central district aforesaid.

Director authorized to levy tax for that purpose.

Collector to be appointed.

SECTION 3. That four directors of the Central district shall hereafter constitute a quorum for the transaction of business.

Quorum of directors.

SECTION 4. That all acts of assembly, or parts of acts, hereby supplied, or inconsistent with this act, are hereby repealed.

Repeal.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 302.

An Act

Relative to the property of the Orphans' Home and Asylum for the aged and infirm of the Evangelical Lutheran Church.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the property belonging to the Orphans' Home and Asylum for the aged and infirm of the Evangelical Lutheran Church, situate in the Twenty-Second ward, Philadelphia, shall be ex-

empt, henceforth, and hereafter, from all taxes, except state tax.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 303.

A Supplement

To an act incorporating the Wilkesbarre and Kingston Railroad Company.

Extension of road and increase of capital stock authorized.

May construct bridge and receive tolls.

Failure to hold an election.

Other companies may subscribe.

Time for commencement, &c., extended.

Purchase of horses and omnibuses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Wilkesbarre and Kingston Passenger Railway Company are hereby authorized to extend their road, so as to form connection with passenger trains on the Lehigh and Susquehanna and Nanticoke railroads, and shall also have authority to increase their capital stock to an amount not exceeding one hundred thousand dollars, and may, at their option, construct the bridge authorized by the fifth section of the act of incorporation, so that the same may be a toll and railroad bridge, and may charge and receive tolls for crossing the same.

SECTION 2. That in case of failure to hold an election at any time, the former directors shall continue in office, until their successors may be duly elected.

SECTION 3. That it shall be lawful for any other incorporated company to subscribe to the capital stock, or guarantee the bonds, of said company.

SECTION 4. That the time for the commencement and completion of said road is hereby extended for the further period of five years.

SECTION 5. That the said company shall only be compelled to purchase the first class horses and omnibuses, regularly used in conveying passengers to and from the Kingston depot.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 304.

An Act**Authorizing the Lehigh Slate Company to reduce its capital stock.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of directors of Lehigh Slate Company be and they are hereby authorized to reduce the capital stock of said company to the sum of eighty-five thousand dollars, and to change the par value of the shares of the stock of said company to an amount proportionate to said reduced capital: *Provided,* That the stockholders of said company, at either their regular meeting, or at a special meeting called for that purpose, of which due notice shall be given, shall, by the vote of a majority of the stockholders, then and there present, accept of the provisions of this act, and authorize and direct the board of directors to comply therewith.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 305.

An Act**To incorporate the Franklin Gas Company.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. L. Hanna, William A. Cooper, T. H. Martin, J. L. Spragle, W. E. Hewit, Henry Clawson and B. Alexander, be and they are hereby appointed commissioners, and authorized to open books, receive subscriptions, and organize a gas company, by the name, style and title of the Franklin Gas Company, with a capital of twenty thousand dollars, to be divided into

shares of fifty dollars each, agreeably to the provisions of an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and to be located in, or near, the borough of Franklin, in the county of Venango.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 306.

An Act

To incorporate the Venango Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That P. M'Gough, William A. Cooper, M. A. Plumer, T. H. Martin, Henry Clawson, W. E. Hewit, B. Alexander, Arnold Plumer, Robert Lamberton and C. Heydrick, be and they are hereby appointed commissioners, and authorized to open books, receive subscriptions, and organize a company, by the name, style and title of the Venango Water Company, with a capital of twenty thousand dollars, to be divided into shares of twenty-five dollars each, for the purpose of supplying the borough of Franklin, in the county of Venango, with pure and wholesome water, agreeably to the provisions of an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and to be located in, or near, the borough of Franklin, county of Venango.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 307.

A Supplement

To an act to incorporate the Oil Creek Transportation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act, entitled "An Act to incorporate the Oil Creek Transportation Company," approved the twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-two, shall be deemed, and taken, to all intents and purposes, the same as though a majority of the commissioners, therein named, had been authorized by said act to open books, receive subscriptions, and organize said company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 308.

An Act

To incorporate the Hartslog Valley Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Samuel Hatfield, John N. Swope, Nicholas Cresswell, Daniel Houtz, John R. Hunter and John Cresswell, of Huntingdon county, or any three of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style and title of the Hartslog Valley Turnpike Company, with power to construct a turnpike road from, at, or near, the east end of the borough of Alexandria, in Huntingdon county, to the borough of Petersburg, in the same county, so nearly on the route of the present town-

Commissioners.

Title.

Route.

- ship road as the grade and interest of the road may admit, and be determined on by the directors of said company, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine: *Provided*, That when the company, hereby incorporated, shall have finished one mile, or more, of their road, the president thereof may give notice to the governor, who shall, thereupon, do and perform the duties prescribed in the twelfth section of the said act of the twenty-sixth day of January, one thousand eight hundred and forty-nine.
- Capital stock.** SECTION 2. That the capital stock of said company shall consist of six thousand dollars, in shares of twenty dollars each:
- Proviso.** *Provided*, That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much, as in their opinion may be deemed necessary to carry out the true intent and meaning of this act.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 309.

An Act

For the relief of William B. Mullen and Son.

WHEREAS, Wm. B. Mullen and Son, of Cumberland county, Pennsylvania, entered into a contract with the commonwealth of Pennsylvania, to furnish the supply of printing paper required, from the first day of July, one thousand eight hundred and sixty-two, to the first day of July, one thousand eight hundred sixty-three, at thirteen cents per pound:

And whereas, From unforeseen causes, the price of material has suddenly risen, and is now greater than the price at which they were to furnish the paper; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That William B. Mullen and Son, of Cumberland county, Pennsylvania, be allowed sixteen cents per pound, for all printing paper furnished the commonwealth, after the first day of February, one thousand eight hundred and sixty-three, under the

contract, which was entered into by the said William B. Mullen and Son, to supply paper from the first day of July, one thousand eight hundred and sixty-two, to the first day of July, one thousand eight hundred and sixty-three.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 310.

Supplement

To an act to incorporate the Towanda Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter in all elections, or meetings, of stockholders of the Towanda Bridge Company, each share of stock shall entitle the holder to one vote; and the time of yearly meeting of stockholders shall be on the first Wednesday of January in each and every year.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 311.

A Further Supplement

To an act for making a turnpike road over Peter's Mountain, in Dauphin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act, passed the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five, entitled "A supplement to an act, entitled 'An Act authorizing the governor to incorporate a company for making an artificial road from the north end of the bridge, over Clark's creek, on the road leading from Harrisburg to Sunbury, across Peter's mountain, to the south end of the bridge, over Powell's creek, on the said road, in the county of Dauphin,'" as provides that no stockholder shall be entitled to more than one vote at any election, be and the same is hereby repealed; and that each stockholder shall be entitled to one vote for each share of stock, not exceeding ten shares, and for every five additional shares, above ten shares, one vote more.

Repeal of certain provision relative to number of votes, to which stockholders are entitled.

Rates of toll.

SECTION 2. That the said company are hereby authorized to charge the following rates for toll, over said road, to wit: All pleasure carriages, sulkies, buggies, et cetera, seven cents for each horse; for all manner of spring wagons, other than for pleasure, six cents per horse; for all single horses, mules and mares, each four cents; for all sheep and hogs, one-half cent per head; all horned cattle, one cent and a quarter per head; for all wagons without springs, other than for pleasure, four cents per horse; for all sleds, four cents per horse; for all sleighs, six cents per horse; for all carts, four cents per horse; and that all owners of wood land north of Peter's mountain, and lying on each side of the road aforesaid, shall be required to pay, to said company, for the use of said road, three cents per year, for each acre adjoining said road; and David Sweigart is hereby authorized to assess, and collect, said amount from the owners of said adjoining land, for said company, and shall receive, for such service, three dollars per year; that all acts, or parts of acts, inconsistent with this act, are hereby repealed.

Owners of wood land required to pay certain amount.

Collection of.

Repeal.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 312.

An Act

Entitled "An Act to authorize the Commissioners of Carbon county to borrow money."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Carbon are hereby authorized to borrow the sum of twelve thousand dollars, for the purpose of building a bridge over the river Lehigh, at the borough of Mauch Chunk, and to issue bonds for the same, bearing interest not exceeding six per cent.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 313.

An Act

For the sale of a certain school lot in Lurgan township, Franklin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the Lurgan school district, Lurgan township, in the county of Franklin, be and the same are hereby authorized to sell, at public, or private, sale, a certain lot, or piece of ground, lying and being situate in the village of Roxbury, in said school district, township and county aforesaid, and bounded by an alley, on the south; by lands of William W. Tennison, on the west; by lands of Samuel L. Sentman, on the north; and by lands of Thomas Pomeroy, on the east; containing sixty-one perches, neat measure, and for many years known as the Roxbury school lot; and to make, execute and deliver, to the purchaser, or purchasers, a good and sufficient

deed for the same, clear of all incumbrances, and to apply the proceeds of said sale, first, to the payment of the costs of sale, and the balance to be applied, by said directors, or their successors in office, in maintaining a public school in said district.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 314.

Supplement

To an act to incorporate the Daguscahonda Improvement Company, approved the twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

Corporators substituted.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Albert Willis, Henry Souther, George Dickinson, Lyman Wilmarth, Charles R. Earley and Henry W. Earley, be and they are hereby substituted corporators, in the place of those mentioned in said act to which this is a supplement, who shall have the same power, and authority, as if they had been originally named as corporators in said act.

Payment of enrolment tax.

SECTION 2. That the provisions of an act of assembly to repeal certain acts of assembly upon non-payment of the enrolment tax, approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six, shall not be applicable to the act to which this is a supplement: *Provided,* That the enrolment tax upon said act shall be paid within one year from the date hereof; and the bonus of one-half of one per centum on the capital stock, provided for in the sixth section of said act, shall be paid in four equal annual instalments, the first payment to be made in one year from the date hereof; and shall pay such tax on dividends as is, or may be, provided by law.

Bonus and tax on dividends to be paid.

Authorized to connect with other railroads.

Subject to.

SECTION 3. That the said company shall have the power to connect their railroad with any railroads now constructed, or hereafter constructed, within the counties of Elk and M'Kean, and shall be governed, in the construction of their railroads, by an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred

and forty-nine, and the several supplements thereto, so far as the same may be applicable.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 315.

An Act

To incorporate the Springhouse and Penllyn Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Adam F. Hoover, Philip Hoover, William Foulke, Nathan Cleaver, Jr., Thomas P. Rowlett, Andrew J. Hoover and Robert Scarlett, or any five of them, be and are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style and title, of the Springhouse and Penllyn Turnpike Road Company, with power to construct a turnpike road on, or near, the bed of the present road, to be thirty-six feet wide, and stoned not less than eighteen feet.

Commissioners.

Name.

Location of road

SECTION 2. That when the road is finished, the company may erect gates thereon, and have the power to collect toll, and shall not be liable for a fractional part of a cent in making change: *Provided,* That said road shall be subject to all the provisions, and restrictions, of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, except so far as they are altered, or supplied, by this act.

Tolls.

Subject to.

SECTION 3. That the capital stock of said company shall consist of sixteen hundred shares, of twenty-five dollars each.

Capital stock.

SECTION 4. That in case the company should fail to commence the construction of said road within one year, and complete the same within two years, after the approval of this act, then this act shall be null and void, except so far as may be necessary to settle the affairs, and pay the debts of this company.

When road to be commenced and completed.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 316.

An Act

Supplementary to an act to incorporate the Foster Coal and Iron Company, passed April sixteenth, one thousand eight hundred and sixty.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Directors authorized to issue preferred stock.

That it shall be lawful for the directors, with the consent of the stockholders, to make any portion of the increased capital stock, provided for in the proviso to the third section of the act to which this is a supplement, a preferred stock, as to dividends, upon such terms of preference as may be assented to by a majority of the stockholders.

May purchase lands and coal rights in Westmoreland co.

SECTION 2. That the authority to purchase and hold additional lands, and coal rights, granted in the fourth section of the act to which this is a supplement, is extended to Westmoreland county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 317.

An Act

Supplementary to an act, entitled "An Act to incorporate the Mahoning Navigation Company," passed the twenty-second day of April, one thousand eight hundred and fifty-eight.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Additional commissioners appointed.

That so much of an act, entitled "An Act to incorporate the Mahoning Navigation Company," passed the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight, as names Harrison M. Conn, James I. Mitchell, and Isaac C. Jordan, as commissioners, be and the same is hereby repealed; and William E. Bell, Charles Kremer and Irvin Gil-

lespie, be and are hereby appointed additional commissioners, for the purposes mentioned in said act.

SECTION 2. That the president and managers shall have power to levy tolls upon the tributaries of Mahoning creek, mentioned in the third section of the act to which this is a supplement, and to collect the same at the mouth of each of said tributaries. May levy tolls upon the tributaries of Mahoning creek.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 318.

A Supplement

To an act for the sale of the State Canals, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the North Branch Canal Company be and are hereby authorized and empowered to lease all, or any portion, of the Junction canal, with its lock-houses, and all property belonging thereto, for such length of time, and upon such terms, as the two companies may agree upon, or they may purchase that portion of the Junction canal extending up from its connection with the North Branch canal, at the state line, in Athens township, to the state line crossing at, or near, Buck's lock, in Chemung, Chemung county, New York, with all its dams, locks, houses, embankments, bridges, lock-houses, quarries, and all property and fixtures, real estate, aqueducts, ferries, ferry-boats, tools and tool-houses thereunto belonging. The North Branch canal company authorized to lease the Junction canal, or purchase a portion thereof.

SECTION 2. That the said North Branch Canal Company be and are hereby authorized and empowered to construct a canal of the same size and capacity as their present canal, or slack-water navigation, beginning at the pool above the Chemung dam, at Athens, in the county of Bradford, thence by the nearest and best route to form a connection with the Chenango Extension canal, at, or near, the line dividing the states of New York and Pennsylvania, on the west side of the Susquehanna river; and that it shall be lawful for said company to erect such May construct a canal or slack-water navigation. Route of.

- Dams, locks, &c., construction of.
- Required to construct a schute in every dam.
- Mode of assessing and collecting damages.
- Authorized to contract with canal board of New York for supply of water at certain point.
- Canal to be a public highway
- Rates of toll.
- Prohibition.
- Payments of judgments for land damages in Bradford, Luzerne and Wyoming counties.
- Proviso.
- dams in the Susquehanna river as may be necessary, or useful, for the construction of the canal, or slackwater navigation, aforesaid; and also, to construct such locks, towing paths, embankments, bridges, toll-houses, offices, and such other devices as may be deemed necessary, or useful, for the construction, use and navigation of said canal, or slackwater navigation: *Provided*, That if said North Branch Canal Company shall construct any dam, or dams, in the Susquehanna river, they shall construct, and keep in repair, a proper schute, in each and every dam, for the passage of rafts, arks, or other river craft: *Provided further*, That in entering upon lands, and in taking materials for the construction, use, or repairs, of said canal, or slackwater navigation, the mode of proceeding to ascertain, assess and collect damages, should any accrue in consequence of said entry and taking, shall be subject to, and in accordance with, the provisions and restrictions contained in the tenth and eleventh sections of an act, entitled "An Act regulating railroad companies," and the several supplements thereto, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same is applicable, by substituting the words, "canal, or slackwater navigation," in place of the word "railroad," where the latter word occurs in said tenth and eleventh sections of said act; and the said North Branch Canal Company are empowered to make such arrangements, and enter into such contracts, with the canal board of the state of New York, as will secure an ample supply of water for their line south from the Athens pool.
- SECTION 3. That upon the completion of the canal, or slackwater navigation, aforesaid, the same shall be and remain a public highway, forever, for the use and enjoyment of all persons desiring to use the same, subject to the laws of the commonwealth, and to such rules and regulations as the board of managers are authorized to adopt: *Provided*, That the rates of toll to be established, demanded, or received, shall not exceed the rates of toll which the North Branch Canal Company are now, or may hereafter be, authorized, by law, to receive; and the said North Branch Canal Company, the better to secure tonnage to their canal, may adopt such rates of toll upon all coal going north of the pool of the Athens dam, not exceeding the rates of toll now allowed, by law, on the Junction canal, and such system of drawbacks upon the same, as, in their opinion, will secure the greatest tonnage to their line; and in no case shall they own, or hold, coal lands, or become miners of, or dealers in, coal: *Provided*, That the said company shall, on, or before, the thirty-first day of December, of each year, pay into the courts of Bradford, Luzerne and Wyoming counties, ten thousand dollars, to be applied in payment of judgments entered in each county, against the company, for land damages; and said money shall be paid, *pro rata*, upon the judgments, at the time, without reference to priority of lien or entry; and said company shall continue to pay, annually, in the same manner, while there are any judgments standing against them, on settlement of any claim now filed in the counties named: *Provided further*, That in case of default in the payment, by the company, for thirty days after the thirty-first day of December,

of any year, of the above sum of ten thousand dollars, or the filing of evidence of such payment, then, in that case, all privileges granted in this section shall be void and of no effect.

SECTION 4. That for the purpose of constructing and purchasing the improvements authorized by this act, and for the general purposes of their business, it shall be lawful for the said North Branch Canal Company to borrow, from time to time, such sums of money as they shall deem expedient, not, in the whole, exceeding five hundred thousand dollars, and mortgage their canal property and franchises, or any part thereof, as security therefor. May borrow money and mortgage property.

SECTION 5. That the North Branch Canal Company be and are hereby authorized and empowered to increase the capacity of all, or any portion, of their canal, to meet the full requirements of the trade thereon, with the same rights and privileges as if originally done. Capacity of canal may be increased.

SECTION 6. That if the North Branch Canal Company shall, at any time, misuse, or abuse, any of the privileges granted by this act, the legislature may revoke all and singular the rights and privileges hereby granted, and authorized to be granted; and the legislature hereby reserves the power to resume, alter, or amend, any, or all, of the privileges granted, or charter to be issued, under this act: *Provided*, That in resuming, altering, or amending said charter, or privileges, no injustice shall be done the said company, corporators, or stockholders. Reservatio
Proviso

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 319.

An Act

To authorize the commissioners of Lawrence county to compromise with the holders of bonds, issued by said county to railroad companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Lawrence, or a ma-

Commissioners authorized to compromise with certain bondholders.

majority of them, are hereby authorized to compromise with any holder, or holders, of the bonds of said county, heretofore issued, by the said county, to railroad companies, or with any holder, or holders, of coupons, detached from the said bonds; and upon the surrender of such compromised bonds, or coupons, by such holder, or holders, to pay to such holder, or holders, any amount that may be agreed upon, between said commissioners, or a majority of them, and such holder, or holders, either by new bonds, hereinafter authorized to be issued, or with money hereinafter authorized to be borrowed.

New bonds to be issued.

SECTION 2. That the said commissioners, or a majority of them, for the purpose of effecting such compromises, are hereby authorized to issue new bonds, to an amount sufficient to pay for all the bonds heretofore issued by said county, to railroad companies, which shall be compromised as aforesaid, of any denomination not less than fifty, and not exceeding one thousand, dollars, bearing interest at any rate per centum per annum, not exceeding six (6) per centum, payable semi-annually, at such places as may be agreed upon between the said commissioners and the parties accepting the same, with coupons attached, to cover the interest, the principal payable at any future day, not less than twenty years from the date of said bonds; which said bonds, the said commissioners, or a majority of them, are hereby authorized to deliver, either directly, to such holder, or holders, upon such compromise, or to any person, or persons, for loans of money by them to said county, to be used in payment of any amounts which may be agreed upon in such compromises: *Provided*, That persons lending money upon such bonds shall not be liable to see to the proper application of the same by the commissioners: *And provided also*, That the said new bonds shall be redeemable in the manner hereinafter provided, and shall not be subject to taxation for any purpose whatever.

Amount and conditions of.

Proviso.

Proviso.

Tax to be levied for payment of interest and creation of sinking fund.

SECTION 3. That for the purpose of promptly meeting the interest on the new bonds, hereby authorized to be issued, and for the creation of a sinking fund for the ultimate liquidation and payment of said new bonds, a tax shall be levied, annually, by the commissioners of said county, sufficient to produce a sum which shall be sufficient to meet the interest upon the said new bonds, and create a sinking fund, which shall liquidate and pay all the principal, by its maturity; the said money, so raised by said tax, annually, shall be kept separate, and apart, from all other funds of the said county, and shall not be appropriated, by any action of said commissioners, nor be liable to be appropriated by any writ of attachment, or by any judicial process whatsoever, from the following uses, to wit: Out of the said sum, so raised by taxation, annually, shall be first paid the interest on the outstanding new bonds, issued by virtue of this act, and the balance, or residue, of said sum, shall be then applied to the redemption, and cancellation, of new bonds, issued by virtue hereof: *Provided*, That all bonds, purchased for the said sinking fund, shall be forthwith cancelled; and a register of bonds, so cancelled, shall be kept; the cancellation shall be effected by writing, in red ink, across the face of each cancelled bond, the fact of such cancellation, and the

Not to be appropriated to any other object.

Interest to be first paid, and balance applied to redemption of new bonds.

Mode of cancellation.

date thereof, the seal shall be crossed with black ink, and the signatures with red ink, and each coupon shall be punched with two or more holes.

SECTION 4. That it shall be lawful for the said commissioners, from time to time, to increase the said sinking fund by appropriating to the same any surplus funds, moneys, or revenues, remaining in, or payable to, the treasury, not required for the ordinary expenses of the county; the sinking fund, created by this act, shall be, at least once in every year, invested by the said commissioners in the purchase of the new bonds, hereby authorized to be issued, at the lowest rates the same can be procured; if none should be offered, or obtained, at rates below par, then the said commissioners shall pay off the outstanding new bonds, at par, in rotation of numbers, beginning at the lowest number outstanding; and in the event of such bond, or bonds, not being surrendered, after four weeks' advertising of the number, or numbers, to be paid, then the commissioners shall deposit the money therefor in any bank in the borough of New Castle, in said county, or in the city of Pittsburg; and the bond, or bonds, so advertised for, shall cease to draw interest thereon, and the holder, or holders, of such bond, or bonds, shall look only to the deposit for the payment of his, her, or their, bond, or bonds; such advertising to be made in one newspaper published in New Castle, and one in the city of Pittsburg, once a week, for four successive weeks.

Surplus moneys in treasury may be appropriated to sinking fund.

Purchase of new bonds issued, relative to.

In the event or bonds not being surrendered, after advertising, the money therefor may be deposited in banks, and interest thereon cease.

SECTION 5. That so much of the annual tax hereby authorized to be levied for the payment of the interest on the said new bonds, as may not be required, at the time, for the payment of interest on the said new bonds, shall go into, and become part of, the sinking fund hereby provided, there to remain until, by reason of future compromises between the said commissioners and other holders of said bonds, issued heretofore to railroad companies, and the issue of new bonds sufficient to require the same for the payment of interest thereon, and the liquidation of the principal, as aforesaid, and shall, in no event, be used for, or appropriated for, any other purpose.

Appropriation of tax, relative to.

SECTION 6. That all necessary powers are hereby given to the said commissioners, of the county of Lawrence, or a majority of them, and to the holders of said railroad bonds, or coupons, whether for their own use, or in trust, to consummate any compromise, which may be agreed upon in pursuance of this act.

Authority to compromise granted to holders of bonds, whether for their own use or in trust.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

We do certify, that Senate bill 291, entitled "An Act to authorize the commissioners of Lawrence county to compromise with the holders of bonds issued by said county to railroad companies," was presented to the governor, on the tenth day of March, Anno Domini one thousand eight hundred and sixty-three, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably

to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

J. ZIEGLER,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 10, 1863.

No. 320.

An Act

To change the name of Julia Hart, adopted daughter of Ira W. Hart, to Julia Crawford Hart, and to confer upon her all the rights and privileges of a child and heir.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the name of Julia, the adopted daughter of Ira W. and Martha M. Hart, of the city of Erie, known as Julia Hart, be and the same is hereby changed to that of Julia Crawford Hart, and she shall be known, and called, by the said name, and by that name, she shall be able and capable, in law, to sue and be sued, grant, and receive, and inherit, property, and to do all other legal acts, and things, in said name, fully and effectually, to all intents and purposes; and she shall, in virtue of the petition and agreement of the said Ira W. and Martha M. Hart, filed for the passage of this act, and by virtue hereof, have, possess, and enjoy, all the rights and privileges, inheritable and otherwise, of a child and heir of the said Ira W. and Martha M. Hart, born in lawful wedlock, fully and absolutely; and any, or all, property, right, or estate, of any kind that she, the said Julia Crawford Hart, shall inherit, or receive, from the said Ira W. Hart and Martha M. Hart, or either of them, or from any other person, in pursuance, or by virtue, of this act, in case of the decease of the said Julia, without lineal heirs, shall descend or revert to the heirs of the said Ira W. and Martha M. Hart, as the same would have descended if this act had not been passed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to change the name of Julia Hart, adopted daughter of Ira W.

Hart, to Julia Crawford Hart, and to confer upon her all the rights and privileges of a child and heir," was presented to the governor on the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-three, and was not returned within ten days; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

J. ZIEGLER,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 11, 1863.

No. 321.

An Act

Relating to the fees of Constables, et cetera, in the counties of Westmoreland, Crawford and Erie, and relative to the pay of the Associate Judges of the counties of Westmoreland, Crawford and Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after ther the passage of this act, the constables of Westmoreland, Crawford and Erie counties, shall be entitled to receive,

Fees of constables in certain cases.

For executing warrant in behalf of the commonwealth, fifty cents.

Executing attachment, forty-five cents.

Executing landlords' warrants, or serving execution, thirty-five cents.

Taking inventory of goods, each item, three cents.

Serving *scire facias*, personally, or by copy, twenty-five cents.

Serving rule and interrogatories in attachment of execution, thirty cents.

For making returns to the court of quarter sessions, one dollar each, for one day.

For services of summons, personally, or by copy, fifteen cents.

All other fees shall be and remain as the same are now fixed, by law: *Provided*, That so much of the act of assembly, approved April eighteenth, one thousand eight hundred and fifty-seven, as is altered, or supplied, by this act, be and the same is hereby repealed, so far as relates to the said counties of Westmoreland, Crawford and Erie. Repeal.

Compensation
of associate
judges, as mem-
bers of board of
relief.

SECTION 2. That the associate judges of the counties of Westmoreland, Crawford and Schuylkill, shall be allowed the sum of two dollars per day, for each day that they shall be actually engaged in the performance of their duties, as members of the board of military relief for said counties.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act relating to the fees of constables, et cetera, in the counties of Westmoreland, Crawford and Erie, and relative to the pay of the associate judges of the counties of Westmoreland, Crawford and Schuylkill," was presented to the governor, on the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-three, and was not returned within ten days; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

J. ZIEGLER,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 11, 1863.

No. 322.

An Act

Authorizing the location of tan and gravel walks in Heidelberg township, York county.

Commissioners
to lay out walks

Location of.

Duties of com-
missioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Michael Ohm, Samuel Keller and Samuel Altland, be and they are hereby appointed commissioners to view, lay out and mark tan, or gravel walks, not exceeding four feet in width, for foot passengers; one of said tan, or gravel walks, to commence at the Hanover borough line, in the county of York, on the Hanover and Littlestown road, and running along said road to Plum creek, in the township of Heidelberg, in said county; the other tan, or gravel walk, to commence at a point on the Hanover and Littlestown road, and from thence running along the Westminster road to Plum creek, in said township, York county.

SECTION 2. That said commissioners shall proceed, as soon as practicable, to complete the location of said tan, or gravel

walks, and when constructed, in no-wise to interfere with the drainage of the public road along which said walks are located.

SECTION 3. That the expenses incurred in the construction and location of said walks, as well as all other expenses incident thereto, shall be defrayed by the persons petitioners for the passage of this act. Expenses to be defrayed by petitioners.

SECTION 4. If any person, or persons, shall wilfully and maliciously injure said walks, either by riding, or driving, upon the same, or by any other means, shall forfeit and pay a penalty of five dollars for each and every offence, to be collected as debts of like amount are now collectable, by law, one-half of the penalty to be paid to the informer, and the balance of for the use of the public school of said township. Penalty for injuries to walks. Appropriation

CYRUS L. PERSHING,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate

We do hereby certify, that the bill, entitled "An Act authorizing the location of tan, or gravel walks, in Heidelberg township, York county," was presented to the governor on the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-three, and was not returned within ten days; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

J. ZIEGLER,

Clerk of the House of Representatives

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 11, 1863.

No. 323.

An Act

To authorize the Citizens' Passenger Railway Company, of Philadelphia, to extend their railway track and to sell certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Citizens' Passenger Railway Company, of Philadelphia, be and they are hereby authorized to take up their track on Columbia avenue, from Tenth to Eleventh street, and to lay a track on Montgomery street, from Tenth to Eleventh street, with the necessary sidelings, and to connect the same with their present road, by a track on Eleventh street, from Columbia avenue to Montgomery street. Extension of road authorized

May sell portion
of real estate.

SECTION 2. That the president and directors of the Citizens' Passenger Railway Company, of the city of Philadelphia, be and the same are hereby authorized to grant, bargain, sell, release, convey, and confirm, to such person, or persons, and for such consideration, price, or prices, as they may deem proper, all, or any part, of their buildings and lot of ground, situated on the east side of Tenth street, in the city of Philadelphia, beginning at the distance of sixty-five feet southward, from the south side of Columbia avenue, containing in front, or breadth, on said Tenth street, eighty feet, and extending, in length, or depth, eastward of that width, between lines parallel with said avenue, on the north line, two hundred and thirty-four feet eight and a quarter inches, and on the south line thereof, two hundred and forty-three feet seven-eighths of an inch; and that the vendee, or vendees, of said property, be and they are hereby vested with the fee simple title of, in and to, the same, their heirs and assigns forever.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 324.

An Act

To annul the marriage contract between Solomon L. Ulman, and Lydia L., his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Solomon L. Ulman, and Lydia L. his wife, of the county of Venango, be and the same is hereby made null and void, and the said parties released, set free and discharged from said contract, and the duties and obligations thereunder, as fully, effectually and absolutely as if said contract had never been made.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Dmoini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 325.

A Supplement

To an act to incorporate the Pittsburg and Connellsville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the proviso to the sixteenth section of an act to incorporate the Pittsburg and Connellsville Railroad Company, approved the third day of April, Anno Domini one thousand eight hundred and thirty-seven, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 326.

An Act

To incorporate the Holmesburg and Bustleton Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William B. Comly, George Clark, Maxwell Rowland, Jesse Comly, Charles Hall, John B. William, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style, and title, of the Holmesburg and Bustleton Turnpike Road Company, with power to construct a turnpike road, commencing at the intersection of the Welsh road and Bustleton turnpike road, in the village of Bustleton, and extending, for the most part, on said Welsh road, to the Bristol turnpike road, in the village of Holmesburg, with power to extend it further, if said company shall deem it expedient to do so, subject to all the provisions and restrictions of an act regulating

- turnpike and plank road companies, approved January twenty-sixth, Anno Domini one thousand eight hundred and forty-nine: *Provided*, That said company shall have power to erect gates, and collect tolls, on said road, when it shall have been completed between the points before named.
- Tolls.**
- Capital stock.** SECTION 2. That the capital stock of said company shall consist of nine hundred shares, of twenty-five dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders, had at a meeting called for that purpose, increase the capital stock, if it shall be deemed necessary, in order to carry out the true intent and meaning of this act.
- Proviso.**
- When road to be commenced and completed.** SECTION 3. That if said company shall not commence the construction of their road within two years, and complete the same within five years, from the date of this act, then the same shall be null and void, except so far as the same may be necessary to settle up the business and pay the debts of the company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 327.

A Supplement

To an act to prevent cattle, horses, sheep and hogs, from running at large in the county of Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act to prevent cattle, horses, sheep and hogs, from running at large in the county of Delaware, approved the twenty-second day of February, Anno Domini one thousand eight hundred and sixty, be and the same are hereby extended to the county of Chester, and the Twenty-Fourth ward of the city of Philadelphia: *Provided*, That in cases of persons whose real and personal property does not exceed, in the whole, the sum of three hundred dollars, and

who own no more than one cow and two sheep, the provisions of this act shall not apply to such cattle and stock.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 328.

An Act

To authorize the Shickshinny Coal and Iron Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Shickshinny Coal and Iron Company be and they are hereby authorized to borrow the sum of one hundred thousand dollars, and to execute, and issue, their bonds for the same, under their corporate seal, in sums of not less than two hundred dollars each, bearing interest at a rate not exceeding seven per cent. per annum, payable semi-annually, and secure the payment of the same, by a mortgage of the lands of the said company, to be executed to trustees, and recorded in the county where the said lands are situate.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 329.

An Act

For the relief of Catharine Sheppard, the widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Catharine Sheppard, of East Huntingdon township, in the county of Westmoreland, the widow of Paoli Sheppard, an old soldier, or to her order, an annuity of forty dollars, during her natural life, commencing with the first day of January, one thousand eight hundred and sixty-three, and payable half yearly thereafter, on the first day of July and of January.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 330.

Supplement

To the act incorporating the Cream Hill Turnpike Road Company, passed the second day of April, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the rights and privileges contained in the act incorporating the Cream Hill Turnpike Road Company, passed the second day of April, Anno Domini one thousand eight hundred and sixty, and the supplements thereto, subsequently passed, are hereby extended westward, from the Jefferson and Clearfield county lines, along and over the old and abandoned Susquehanna and Waterford turnpike road, to a point, in said road, opposite the old tavern house, at Port Barnett, in the county of Jefferson; and that said company are hereby empowered to exercise, over

Privileges of the company extended over certain abandoned road.

said road, all of the corporate rights of said company, as fully and effectually as if it had been embraced in the original charter.

SECTION 2. That whenever it shall become necessary, and the company shall re-build a good and substantial bridge over the Sandy Lick, on the farm of the late Woodward Reynolds, deceased, it shall be lawful for the said company to demand, and receive, the same rates of toll, for crossing the same, as is allowed for crossing the Anderson's creek bridge, when it shall be re-built; and that the laws, now in force for the protection of toll bridges, are hereby extended to said bridge.

Authorized to re-build certain bridge.
Tolls may be received.

SECTION 3. That whenever it may become necessary to build toll houses, erect gates, or other buildings, necessary for the convenience and management of said roads, the said company are hereby authorized to take, use and occupy, for that purpose, seventy feet in width of ground, and to use all of the spare ground, not broken by the construction of the road, on the side of said road, on which the said buildings are erected: *Provided*, Said privilege shall not extend more than five hundred feet along said road, at any one place.

Erection of gates or other buildings, relative to.
Provide.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 331.

An Act

To incorporate the Chesnut Hill and Whitemarsh Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Welsh, Silas Cleaver, William Yeakle, Charles Williams, William Coulston and Daniel Williams, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title, of the Chesnut Hill and Whitemarsh Turnpike Road Company, with power to construct a turnpike road, commencing at a point on the Chesnut Hill and Springhouse turnpike road, at, or near, the foot of Chesnut Hill, and thence, by the most practicable route, to a point on the Plymouth and Upper

Commissioners.
Title.
Route.

Subject to. Dublin turnpike road, at, or near, where the Blue Bell road crosses the same, subject to all the provisions, and restrictions, of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided*, That said company shall have power to erect gates, and collect tolls, on said roads, when one or more miles are completed.

Tolls.

Capital stock. SECTION 2. That the capital stock of said company shall consist of two hundred shares, at fifty dollars per share: *Provided*, That the said company, may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as, in their opinion, may be necessary to complete the road, and to carry out the true intent and meaning of this act.

Proviso.

Time for commencement and completion of road. SECTION 3. That if said company shall not commence the construction of their road within three years, and complete the same within five years, from the passage of this act, it shall be null and void, except so far as the same may be necessary to settle up the the affairs of said company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 332.

An Act

To widen, re-survey and establish the lines and width of a public road in the township of Wilkesbarre, in the county of Luzerne, and to appoint commissioners for that purpose.

Preamble.

WHEREAS, Upon the petition of sundry inhabitants of the township of Wilkesbarre, in the county of Luzerne, setting forth that they labor under great inconvenience for want of a proper width in a public road, starting at a point on the river road leading from the borough of Wilkesbarre to Nanticoke, at and near the Lockhart house, and running to a point on the main road leading from the borough, aforesaid, to Hanover, near where said main road crosses the Wyoming division of the North Branch canal, and praying the court to appoint proper persons to view and ascertain the proper width of the same,

the court of quarter sessions of said county appointed three persons such viewers, who returned, *inter alia*, the then present road, which was about thirty feet wide, increased in width fifty feet, providing, however, in said return, that all fences, buildings, or other improvements, within the bounds of said road, thus now widened to fifty feet, shall be allowed to remain for the present, but that they shall not be repaired, or re-erected, within said fifty feet; which return was, on the eleventh day of January, one thousand eight hundred and fifty-eight, confirmed by the court, and on the thirteenth day of April, one thousand eight hundred and fifty-eight, an order to widen said road issued to the supervisors of the township of Wilkesbarre; which said order the said supervisors have been, and are, unable to execute, for the reason, that they have no power, under the same, or by virtue of any existing law of this commonwealth, to remove, or cause to be removed, the fences, buildings, or other improvements, standing and being within the bounds of the said road thus widened:

And whereas, The public have hitherto, and are, at the present time, suffering great inconvenience and annoyance consequent upon the delay in widening said road to fifty feet, occasioned by persons living, and owning land, along said road, having fences and other improvements within the bounds of the said fifty feet, and refusing to remove the same, or permit the same to be removed; to remedy the difficulty, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the lines and width of the said road, starting at a point on the river road leading from the borough of Wilkesbarre to Nanticoke, at and near the Lockhart house, and running to a point on the main road leading from the borough aforesaid to Hanover, near to where the main road crosses the Wyoming division of the North Branch canal, in the township of Wilkesbarre, and county aforesaid, be and the same is hereby declared to be fifty feet, and as such established and confirmed, and the space comprised within the same appropriated to the purposes of a public highway, to be opened and repaired, in all respects, as roads are opened and repaired, which are laid out by order of the different courts of this commonwealth; the centre of the present road to be and remain the centre of the road hereby widened.

The lines and width of a certain road established and confirmed.

How to be opened and repaired.

SECTION 2. That the inhabitants living on, or occupying, land on either side of said road, shall have the right to appropriate a portion of said road, not exceeding six feet in width, to the purpose of side-walks, and planting ornamental, or shade, trees; which portion shall, when once so appropriated, in no case be infringed upon by any supervisor, for any purposes of the road, or any other purpose whatever.

Occupants of lands along the road may appropriate portion for side-walks and trees.

SECTION 3. That Samuel Hoyt, Samuel R. Marshall and Benjamin Pfouts, be and they are hereby appointed commissioners to re-survey the said road, as hereby widened, and ascertain, and fix, the lines of the same, establishing for the centre line the centre of the present traveled road; and it shall be the duty of the said commissioners, or a majority of them, after taking and

Commissioners appointed to make a re-survey.

Duties of.

subscribing an oath, or affirmation, before a justice of the peace, to perform the duties enjoined on them, by this act, with fidelity and impartiality, to carefully run the said lines of the said road, as widened hereby, and mark the same in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the said commissioners are hereby authorized to employ two chain-carriers, at a per diem allowance not exceeding one dollar, and the commissioners, respectively, receive a per diem allowance not exceeding two dollars, for every day necessarily spent in discharge of the duties enjoined by this act, to be paid in manner and form hereinafter directed.

Compensation.

Drafts.

SECTION 4. That it shall be the duty of said commissioners to make out a fair and accurate draft of the location of said road, respectively stating the courses and distances as they occur, and noting, briefly, the improvements through which the widened lines of the said road may pass, and to endeavor to procure, from the owners of lands and improvements over and through which the same shall pass, releases, in writing, of all claims of damages that may arise from widening the same; and if they fail to procure such release, they shall assess the damages, if any, to be done thereby, taking into consideration the advantages derived from the widening of said road through said lands, and on, or before, the first day of June next, return and deposit the same, together with said draft and releases obtained, in the office of the clerk of the court of quarter sessions of the said county of Luzerne; and the damages, so assessed, shall be paid by the county treasurer, out of the county funds, to the respective parties entitled thereto.

Damages.

When commissioners to meet.

SECTION 5. That the said commissioners shall meet on, or before, the first day of May next, and complete the labors enjoined upon them, by this act, as soon thereafter as practicable, and if any vacancy, or vacancies, occur, shall fill said vacancy, or vacancies, by the appointment of suitable persons, who shall perform said duties; and the accounts of the said commissioners and chain carriers, for their pay, shall be made out by said commissioners, and returned to the commissioners of said county, and paid on warrant drawn in the usual way.

Vacancies.

Payment of accounts.

Supervisors to give notice of obstructions.

SECTION 6. That as soon as practicable, after the commissioners aforesaid shall have ascertained, and fixed, the lines of said road, it shall be the duty of the supervisors of the township of Wilkesbarre to give ten days' notice to all persons whose fences, or buildings, are in the road, to remove the same, and in default of compliance with the said order, then to proceed to remove said fences, buildings, and obstructions, in the manner prescribed by the general act of this commonwealth, providing for the opening and widening of public roads therein.

Penalty for injuries to trees or side-walks.

SECTION 7. That if any person, or persons, who shall wilfully, or knowingly, cut, hack, break, or in any way injure, any trees, already standing, or which may hereafter be set out, or planted, along the side-walks made, or to be made, as aforesaid, or who shall ride, or drive, on the said side-walks, shall, for every such offence, on conviction before any justice of the peace in, and for, the county of Luzerne, beside the cost of prosecution, forfeit not less than five, nor more than fifteen,

dollars, one-half to the informer, and one-half to the township, How to be ap-
 for the use of the poor of said township; and if the offender plied.
 refuse to pay, the same shall be levied by distress, and sale, of
 the offender's goods, by warrant, under the hand and seal of the justice, before whom such offender shall be convicted, returning by distress and
 the overplus, if any, to the owner, the charge of distraining sale.
 being first deducted; and for want of such distress, he shall be
 committed to prison not less than ten days, nor more than
 thirty days.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one
 thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 333.

An Act

Entitled "An Act for the relief of the sureties of William Calohan, as Su-
 pervisor of repairs on the Portage railroad, and Superintendent of Trans-
 portation upon the Portage railroad."

WHEREAS, In the final settlement of the accounts of William
 S. Calohan, late superintendent on the Allegheny Portage rail-
 road, he stands charged with the price of several of the old
 engines, and fixtures, on the said road:

And whereas, These engines were sold, by the canal com-
 missioners, to the firm of Hemphill and Company, and removed
 by them, or their agents, in the absence of the said William S.
 Calohan, detained at home by severe illness in his family:

And whereas, By the affidavit of the clerk of the said Calohan,
 J. C. Osterloh, it appears that the said superintendent never
 received one dollar of the price of said engines; and the sureties
 on his bond could not, in equity, be held liable for the money,
 or any part of it, arising from said sale; therefore,

SECTION 1. *Be it enacted by the Senate and House of Represen-
 tatives of the Commonwealth of Pennsylvania in General Asscm-
 bly met, and it is hereby enacted by the authority of the same*
 That John Weaver, John Chambers, Samuel Smith, William
 Berry, A. N. White and A. F. Osterloh, the sureties upon the
 official bonds of William S. Calohan, as supervisor of repairs
 on the Portage railroad, and superintendent of transportation

upon the Portage railroad, be and they are hereby released from all liability to the commonwealth, as sureties upon said bonds.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 334.

Supplement

To an act, entitled "An Act to re-incorporate the New Brighton Water Company, and enlarge its powers," approved the eighth day of April, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the powers, and authority, granted to the directors of the New Brighton Water Company, by the act of assembly, entitled "An Act to re-incorporate the New Brighton Water Company, and enlarge its powers," approved the eighth day of April, one thousand eight hundred and forty-eight, they are hereby authorized and empowered to stop off the water from entering the forebay, or flume, of any member, or proprietor, of the said water company, or from that of any person renting water power from any such member, or proprietor, who shall neglect, or refuse, to pay the assessments, or apportionments, made by the said New Brighton Water Company, or the directors thereof, and to keep the water stopped off until all arrearages of assessments, or apportionments, shall have been duly paid: *Provided nevertheless,* That the water shall in no case be stopped off, until after thirty days' notice being given to the party using the water, that the assessments, or apportionments, have been made and are due.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 335.

An Act

To enable the board of school directors of Jackson township, Lycoming county, to make returns of the unseated lands to the county commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That to enable the board of school directors of Jackson township, Lycoming county, to collect the taxes on unseated lands, in said township, for school purposes, they are hereby authorized to make the returns required by the act of the twenty-first of April, Anno Domini one thousand eight hundred and fifty-six, of all the unseated lands in said township, on or before the first day of May next; and that the return thereof, when so made to the county commissioners, shall have all the force and effect, for all purposes, as though the same had been made on the first day of January, as now required by law.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 336.

An Act

To incorporate the Jeffersonville and Shannonville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles P. Shannon, Henry G. Hunsicker, Albert Crawford, Samuel F. Jarret, David Schrack, William Wetherill, William Casselberry, Benjamin Casselberry, William M. Gillis, J. S. Shearer, S. E. Hartranft, G. N. Corson, Jos. Rhoades, Thos. Commissioners

Title.

Route.

Hopkins, Charles Shepard, Jos. Fitzwater, W. W. Taylor, Wm. C. Weber and John Schrack, Jr., or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions to stock, and organize a company, by the name, style and title of the Jeffersonville and Shannonville Turnpike Road Company, with power to locate and construct a turnpike road, commencing at the junction of the Egypt road with the Ridge turnpike road, in the village of Jeffersonville; thence along, or near, the bed of said Egypt road, to the village of Shannonville, all in the county of Montgomery, with full power and authority to change the location of the same, so as either to shorten, or improve, the road for traveling purposes, and to use all, or any portion, of the present road, and the materials found thereon, or within the limits of the same.

Capital stock.

May borrow
money upon
mortgage.

Subject to.

Proviso.

Tolls.

When road to
be commenced
and completed.

SECTION 2. The capital stock of said company shall consist of five hundred shares, at twenty dollars each, with the privilege of increasing the capital stock, or of borrowing such additional sum, upon a mortgage of the road, property and franchises of the company, as may be necessary to complete said road, according to the true intent and meaning of this act; and the said company shall be subject to all the provisions and restrictions of an act regulating turnpike road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto: *Provided*, Said company shall not be required to stone, or gravel, more than sixteen feet, in width, of said road: *And provided also*, That whenever said company shall have finished one, or more, miles of said road, they shall have power to erect gates and receive tolls, agreeably to the provisions of said act, except that said company shall not be liable for fractional parts of a cent.

SECTION 3. That if said company shall not commence the construction of said road within three years, and complete the same within five years thereafter, this act shall be null and void, except so far as may be necessary to settle up the affairs of said company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 337.

An Act

To incorporate the Union Fire Company, of Churchtown, Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Moses Bricker, James Burtnett, John Paul, Geo. Brindle, junior, D. S. Goodyear, Henry Spahr, John Rahouser, James A Sibbett, and all persons who are now members of the association, called the Union Fire Company of Churchtown, or shall be, and hereafter be, admitted members of the same, shall be and they are hereby created, and declared to be, one body politic and corporate, by the name, style and title of the Union Fire Company of Churchtown, and by the same, shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record, or otherwise; and to purchase, receive, have and hold, and enjoy, to them and their successors, all, and all manner of, lands and tenements, rents, annuities, liberties, franchises and hereditaments, goods and chattels, of what nature, kind, or quality soever, real, personal, or mixed, or choses in action, and the same, from time to time, sell, grant, devise, alien, or dispose of: *Provided,* That the clear yearly value, or income, of the said corporation, shall not exceed the sum of three thousand dollars; and also to make and have a common seal, and the same to break, alter, or renew, at pleasure, and also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter, or the said constitution of the United States, or of this commonwealth; and generally to do all, and singular, the matters and things which, to them, it shall lawfully appertain to do for the well-being of the said corporation, and the due ordering and management of the affairs thereof.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 338.

An Act

To prevent actions at law, or proceedings in equity, in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if it shall appear, in any proceeding at law, or in equity, heretofore instituted and now pending, or hereafter instituted, in any of the courts of this commonwealth, by, or in, the name of any sequestrator, county, city, or borough, to recover, or compel, payment of any subscription, or subscriptions, or part, or parts, thereof, made by any person, or persons, to the capital stock of any railroad company, incorporated by the general assembly of this commonwealth, subject to the provisions of the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, that before such proceeding was instituted, the act incorporating such railroad company had been repealed, or the charter thereof revoked, by an act of the general assembly of this commonwealth, no judgment, or decree, shall be entered, or made, against the person, or persons, aforesaid, but he, or they, shall have judgment, or an order, for his, or their, reasonable and proper costs.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 339.

An Act

To incorporate the Honesdale Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* Commissioners. That C. F. Young, Z. H. Russell, C. P. Waller, Charles Rob-

inson, John Henigan, John Kelly, R. F. Lord, junior, G. G. Waller, R. L. Seely, S. E. Dimmick, J. Snyder, W. H. Foster, E. F. Torrey and H. B. Beardslee, be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorized to carry into effect the establishment of a water company, to be in, or near, the borough of Honesdale, in the county of Wayne, under the name, style and title of the **Style.** Honesdale Water Company, with a capital of thirty thousand **Capital.** dollars, and the right to issue coupon bonds to the amount of twenty thousand dollars, at a rate of interest not exceeding seven per centum, to be organized, managed and governed as provided by an act, entitled "An Act to provide for the incorporation of gas and water companies," approved March eleventh, one thousand eight hundred and fifty-seven, and subject to all the provisions and restrictions, not supplied by this act, together with all the rights and privileges in said act, or any supplements thereto. **May issue bonds**

SECTION 2. That said company may convey any springs, or streams of water, according to the conditions contained in section eleventh of the act incorporating gas and water companies. **May convey any springs or streams.**

SECTION 3. That it shall be lawful for the commissioners of Wayne county, and the town council of the borough of Honesdale, to contract with said company for the use of water for public purposes; and said commissioners and town council may aid in the construction of the works of said company, by subscription to the capital stock thereof, or the issue of the bonds of the county and borough, for the payment of said subscription, or for the use of the water, and shall have power to levy and collect special, or general, taxes, for the payment of the same. **Commissioners and councils may contract for water and subscribe to stock.** **May issue bond and levy taxes for same.**

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 340.

An Act

To lay out a State Road in Fulton and Bedford counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Sharrer and William A. Gray, of Fulton county, **Commissioners.**

Route. and William Foster, of Bedford county, be and they are hereby appointed commissioners to view and lay out, by courses and distances, a state road, from a point near the house of Thomas Gracey, in the county of Fulton, by the nearest and best route, to the town of North Point, in the county of Bedford.

Duties of commissioners. SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking oaths, or affirmation, before a justice of the peace, to perform the duties enjoined upon them by this act, with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground, on the route agreed upon, by them, for the said road, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ a surveyor, at a per diem allowance of not more than three dollars, and two chain carriers, at a per diem allowance, not exceeding one dollar and fifty cents each, and one axeman, at a per diem allowance, not exceeding one dollar and fifty cents; and the said commissioners shall receive a per diem allowance, not exceeding two dollars, for each day necessarily employed by them in the discharge of the duties enjoined by this act; which shall be paid by the treasurer of the counties of Fulton and Bedford, the one-half by each.

Compensation of surveyors, chain carriers, &c.

How to be paid.

Drafts.

When road to be opened, &c.

SECTION 3. That it shall be the duty of the commissioners, as aforesaid, to make out two separate and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation, one copy to be deposited in the office of the clerk of the court of quarter sessions in each of said counties of Fulton and Bedford, on, or before, the first day of August next; and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty-three feet, and to be made and repaired as all other roads laid out by the courts are made and repaired.

Vacancies.

Duty of supervisors.

SECTION 4. That the commissioners shall proceed, as soon as practicable, to complete the location of said road, and if any vacancy occur in their number, by death, resignation, or otherwise, the same shall be supplied by the remaining commissioners selecting suitable persons to constitute a board of at least three members.

SECTION 5. That it shall be the duty of the supervisors of the several townships, through which the said road may pass, upon notice given, to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 341.

An Act

To enable Darius Hetrick, collector of Polk township, Jefferson county, to make returns.

WHEREAS, Darius Hetrick was appointed collector of state, county and school taxes, for the township of Polk, in Jefferson county, for the year one thousand eight hundred and sixty-two, and by reason of sickness has been unable to attend to his duties under said appointment, and to make return in accordance to law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for making return, by the said Darius Hetrick, collector aforesaid, in pursuance of warrants issued to him, be extended one year from the date of the passage of this act, and that the warrants, so issued to him, shall have the same force and effect as though issued at the day of the date of the passage of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. COURTIN.

No. 342.

An Act

Extending the provisions of the first section of the act of assembly, approved April seven, one thousand eight hundred and forty-five, entitled "An Act relating to views of roads and damages in the counties of Monroe and Montgomery, and other purposes," to Pike county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of the act to which this is a supplement, approved the seventh day of April, one thousand eight hundred

and forty-five, be and the same is hereby extended, in all its provisions, to Pike county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 343.

An Act

Relating to the Edinboro' Academy, in the county of Erie.

- Election of trustees.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the contributors to the Edinboro' Academy and State Normal School, in the county of Erie, shall, on the second Monday in May, Anno Domini one thousand eight hundred and sixty-three, and in the manner specified in the charter thereof, elect, by ballot, nine trustees, from amongst the contributors residing within the Twelfth Normal School district; three to serve for one year, three to serve for two years, and three to serve for three years, from the second Monday in May, Anno Domini one thousand eight hundred and sixty-three, on which last mentioned day the term of the trustees, now in office, shall cease; and annually thereafter, on the second Monday in May, they shall elect three, to serve for three years; and in case any vacancies shall occur, in said board of trustees, by death, removal, resignation, or failure to attend two regular meetings, in succession, after being notified, in writing, by the secretary, the same shall be filled, by appointment, by the remaining members, hereinafter made necessary to form a quorum, for such unexpired term.
- Classification.**
- Vacancies.**
- Organisation.** SECTION 2. That annually, and within ten days after such election, the trustees shall organize, by electing a president and secretary, who shall be members of the board, and a treasurer, who shall be a contributor, but not a trustee; and that for the transaction of all business, any five trustees, duly convened, shall form a quorum.
- Quorum.** SECTION 3. That the accounts of the treasurer shall, annually, be audited by a committee of three trustees, appointed by the board, for that purpose, whose report shall be posted up, in public places, in the borough of Edinboro', by at least five
- Accounts of treasurer to be audited.**

written, or printed, notices, five days before the election for trustees.

SECTION 4. That for the purpose of re-adjusting the boundary lines, and squaring the lands attached to the Edinboro' Academy as a State Normal school, and for no other purpose, the trustees thereof are hereby authorized to exchange a portion of the land, attached thereto, for other land, or to sell the same, and purchase other land more suitable and convenient thereto, and to make and receive the necessary deed, or deeds, to perfect such exchange, or purchase and sale: *Provided*, That none of the buildings belonging to said academy as a State Normal school, be sold, or conveyed away therefrom, and that the amount of land shall not, thereby, be made less than ten acres, as is required by act of May twentieth, Anno Domini one thousand eight hundred and fifty-seven: *And provided further*, That the condition of the appropriation made to said school, by section twenty-nine of the general appropriation act of April eleventh, one thousand eight hundred and sixty-two, shall be and remain upon all the property, real and personal, belonging to said school subsequent to said exchange, or sale, and shall attach to, and remain upon, so much of the land acquired thereby, as shall be necessary to complete the ten acres, required by the general Normal School act of May twentieth, Anno Domini one thousand eight hundred and fifty-seven.

Trustees authorized to exchange portion of land, or purchase other.

Buildings not to be sold, nor amount of land lessened.

Condition of state appropriation to remain.

SECTION 5. That the trustees of said academy be and the same are hereby authorized to purchase, receive and hold, all the estate and property, real and personal, and mixed; actually necessary to its existence and operation as a State Normal school, any restriction, or limitation, in its charter, to the contrary notwithstanding.

Trustees to purchase and hold all property necessary. —

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 344.

A Further Supplement

To an act to incorporate the Conestoga and Manor Turnpike Road Company.

WHEREAS, By virtue of certain proceedings in the court of common pleas of Lancaster county, the real estate and road of the Conestoga and Manor Turnpike Road Company, together

Preamble.

with the franchises of said company, are about to be sold by the sheriff of said county ; therefore,

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Corporators.

That the parties interested in the said purchase, to wit : B. A. Shaffer, Abraham Peters, Geo. M. Steinman, Jacob K. Shenk, Wyatt W. Miller, Jacob M. Frantz, A. Herr Smith, George K. Reed, W. G. Baker, Charles A. Heinitsh, Reuben Garber, Watson H. Miller and Jacob Bausman, their successors, associates and assigns, be and they are hereby invested with all the

Privileges.

corporate powers, privileges and franchises, heretofore granted to, and conferred upon, the Conestoga and Manor Turnpike Road Company aforesaid ; the name of the new corporation,

Name changed.

hereby created, shall be the Millersville and Safe Harbor Turn-

Capital stock.

pike Road Company ; and the capital stock of said company shall be ten thousand dollars, divided into four hundred shares, of twenty-five dollars each.

Present directors and officers to continue until election.

SECTION 2. That the present directors and officers of the Conestoga and Manor Turnpike Road Company shall continue as directors and officers of the Millersville and Safe Harbor Turnpike Road Company, until the next annual election, which shall be held in the city of Lancaster, at the time fixed by law.

Purchaser to make conveyance.

SECTION 3. That the purchaser of the said road is hereby authorized, and required, to convey to the said corporation all the property, estate, rights and franchises, purchased by him at the sheriff's sale, mentioned in the preamble to this act, for the sum of ten thousand dollars, and to receive in payment therefor the four hundred shares of capital stock of the said company hereby authorized to be issued ; and when the said purchaser shall have made the conveyance, and received the shares of stock, as aforesaid, he is hereby authorized and required to transfer, to each of the present stockholders of the Conestoga and Manor Turnpike Road Company, the same number of shares of the stock of the Millersville and Safe Harbor Turnpike Road Company, that such persons may hold of the Conestoga and Manor Turnpike Road Company : *Provided*, That no such transfer shall be made unless the holders of said stock shall pay, or offer to pay, to the said purchaser, within thirty days after notice of the passage of this act, such sum of money, not exceeding five dollars, on each share of stock to which such person may be entitled, as shall be assessed by the board of managers of the said company : *And provided further*, That the said notice may be given personally, or by letter, or printed circulars, sent by mail, to the residence of the said stockholders.

Terms and conditions of.

Proviso.

Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Dmoini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 345.

An Act

To attach the farm of Peter Reaver, in Springfield township, York county, to the borough of Logansville, for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the farm belonging to Peter Reaver, adjoining the borough of Logansville, in Springfield township, York county, be and the same is hereby attached to the said borough of Logansville, for all common school purposes, including the assessment and payment of school taxes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 346.

An Act

Requiring administrators and trustees, upon the sale of real estate, after proceedings in partition, to file, in the register's office of the proper county, an account of their said administration, or trusteeship.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases hereafter, upon the sale of any real estate, by an administrator, or trustee, after proceedings in partition in the orphans' court, it shall be the duty of the said administrator, or trustee, to file in the office of the register of the proper county, an account of his said administration, or trusteeship, in the

same manner as is now, by law, required in the settlement of the estates of decedents.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 347.

An Act

To authorize the Auditor General and State Treasurer to settle the accounts of E. C. Wilson, late Adjutant General.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and they are hereby authorized and empowered to settle and adjust the accounts of E. C. Wilson, late adjutant general, for moneys drawn out of the treasury and expended in, and on account of, the encampment held at Williamsport, in September, eighteen hundred and fifty-eight, and for other expenses of the said adjutant general, incurred under the act of April twenty-first, eighteen hundred and fifty-eight.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 348.

An Act

To incorporate the Mantua Hook and Ladder Company, in the county of Philadelphia, and authorize said company to erect a market house.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That all and every the persons that shall, at the time of passing this act, be members of the association called the Mantua Hook and Ladder Company, in the city of Philadelphia, shall be, and they are hereby elected and declared to be, one body politic and corporate, by the name, style and title of the Mantua Hook and Ladder Company of the city of Philadelphia, and by the same, shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record, or elsewhere; and also, the said corporation, and their successors, at all times hereafter, be able to purchase, receive, have, hold and enjoy, to them and their successors, all, and all manner, of lands, tenements, rents, annuities, liberties, franchises, and other hereditaments, goods and chattels, of whatsoever nature, kind, or quality soever, real, personal, or mixed, or *choses in action*, and the same, from time to time, to sell, alien, grant, demise and dispose of: *Provided*, That the clear yearly value and income, of the said corporation, shall not exceed two thousand five hundred dollars; and also, to make and have a common seal, and the same to break and renew, at pleasure; and also, to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter, or the constitution and laws of the United States, or of this commonwealth, and generally to do all and singular the matters and things which, to them, it shall lawfully appertain to do, for the well-being of the said corporation, and the due management and ordering of the affairs thereof: *And provided further*, That said company shall, at all times, be subject to such rules and regulations, for the government of the fire department of the city of Philadelphia, as are now, or may hereafter be, enacted, by the corporate authorities of the said city.

Corporators.

Style.

Privileges.

Income.

Seal.

By-laws.

Subject to.

SECTION 2. That nothing, in this act contained, shall be deemed to authorize the said company to engage, either directly, or indirectly, in any banking, moneyed, commercial, or manufacturing concern, or to act in any other way than as a fire company.

Prohibition.

SECTION 3. That the legislature reserves the power to alter, revoke, or annul, the privileges and charter hereby granted, whenever, in their opinion, the same may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators.

Reservation.

SECTION 4. That said corporate body shall have the right to build upon any portion of their premises, now, or hereafter to

Authorized to build a market house.

be, occupied by them, a market house for the accommodation of farmers.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 349.

An Act

For the relief of Wunderlich and Nead, and Wunderlich, Nead and Company.

Preamble.

WHEREAS, The authorities of the state of Pennsylvania did, on, or about, the day of September, Anno Domini one thousand eight hundred and sixty-two, take possession of the warehouses of Wunderlich and Nead, in the borough of Chambersburg, and use the same, in connection with the national authorities, for the purpose of storing arms and munitions of war, which led to the entire destruction, by fire, of said warehouses, and the destruction of a large amount of private property owned by, or in charge of, Wunderlich, Nead and Company, as commission men, by the rebels, under the command of General Stewart, on the eleventh day of October, Anno Domini one thousand eight hundred and sixty-two; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Court of Dauphin county to appoint appraisers.

That the court of common pleas, of Dauphin county, is hereby authorized and directed, upon petition of the claimants named in the preamble, setting forth, under oath, the amount and value of the personal and real property lost by the burning of their warehouse, to appoint three competent and disinterested appraisers, who shall be sworn, or affirmed, and shall examine, equitably, into the loss actually sustained by the petitioners, and report the same to said court, together with the evidence; when the said court shall confirm the same, if it is deemed satisfactory and just; if not, the said court may reduce the amount reported by the appraisers, and confirm the same for such amount as, in the discretion of the court, shall be a just compensation, to the petitioners, for actual loss; and upon the confirmation of said report, by the court, the treasurer of the

Report, confirmation of, &c.

state shall pay, to the claimants, out of any money not otherwise appropriated, the amount of such report, which shall be received, by the claimants, as in full of all claim, or demand, whatsoever, against either the state, or national, government, for losses by reason of the burning of their property by the rebels; and the accounting officers of the state shall, in settlement of claims against the general government, arising out of the war, present and make claim, for reimbursement, for the sum paid to Wunderlich and Nead, and Wunderlich, Nead and Company: *Provided*, That the attorney general of this commonwealth shall be notified before the confirmation of said report.

Payment of claim, relative to.

Attorney General to be notified Compensation of commissioners.

SECTION 2. That the commissioners, appointed under the provisions of this act, shall receive a compensation, respectively, of four dollars per day, for each and every day they may be employed in the discharge of their duties.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 350.

An Act

To fix the compensation of the directors of the poor of the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the directors of the poor of the county of Cambria shall each be entitled to receive, from the treasury of said county, as a compensation for their services, respectively, the sum of sixty dollars per annum.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 351.

An Act

To repeal so much of the eighth section of the act, approved the twentieth day of May, one thousand eight hundred and ten, as relates to filing interrogatories, on rule to take depositions before justices of the peace.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the eighth section of the act, approved the twentieth day of May, one thousand eight hundred and ten, as requires interrogatories to be filed in taking depositions on rules issued by justices of the peace, within this commonwealth, be and the same is hereby repealed, except so far as relates to depositions taken without the state.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 352.

An Act

To incorporate the Catholic Home for Destitute Children.

Preamble.

WHEREAS, By reason of the improvidence of some parents, and the absence of many fathers in the army, or their death, great numbers of Roman Catholic children are uncared for, and when committed to the care of the existing Roman Catholic asylums, there are no adequate means for their reception, or custody :

And whereas, A number of citizens of this commonwealth have formed an association, for the purpose of founding and maintaining a home for friendless children :

And whereas, The general assembly of this commonwealth are willing to encourage such purposes ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Right Reverend James F. Wood, Roman Catholic **Corporators.**
Bishop of Philadelphia, the Very Reverend Patrick A. Stanton,
Commissary General of the Brothers of the Order of Hermits
of Saint Augustine, the Very Reverend William O'Hara, Vicar
General of the diocese of Philadelphia, the Reverend F. J. Bar-
belin, pastor of Saint Joseph's church in said city, John O'Byrne,
Joseph A. Donnelley, Michael M'Avoy, William G. Allen, James
J. Fairgreave, Hugh Cassidy, John J. Boland, John D. Murray,
William Fanning, Peter O'Reilley and William M'Dermot, and
their successors, be and they are hereby incorporated and made a
body politic, in law, by the name, style and title of the Catholic **Title.**
Home for destitute children, and by that name, style and title
shall have perpetual succession, with power to have a common **Privileges.**
seal, and the same to change, at pleasure; to make contracts
relative to the institution, to sue and be sued, to plead and be
impleaded, and by that name, style and title to be capable of
purchasing, holding, taking and conveying, any estate, real, or
personal, for the use of the said corporation: *Provided however,*
The annual income of said estate shall not exceed the sum of **Income.**
five thousand dollars, nor be applied to any other purposes than
those for which this association is formed; to establish such by- **By-laws.**
laws, rules and regulations, as shall be necessary for the govern-
ment of the said corporation, and for the management of its
affairs, and to manage and direct the same: *Provided,* That **Provide.**
the same be not repugnant to the constitution of the United
States, or of this commonwealth.

SECTION 2. The corporators aforesaid shall have the power **Vacancies.**
to fill vacancies that may hereafter occur in their number, by
death, resignation, removal, or refusal to act of any one, or more,
of said corporators: *Provided however,* That the Right Rever-
end James F. Wood, the Very Reverend Patrick A. Stanton,
the Very Reverend William O'Hara, and the Reverend F. J.
Barbelin, or their successors in the hereinbefore recited offices,
held by the said persons, shall, by right of their respective offices,
be at all times, hereafter, deemed members of the said corpo-
ration, and corporators of the said Catholic Home for destitute
children, anything herein contained to the contrary notwith-
standing.

**Certain persons
to continue as
corporators.**

SECTION 3. That it shall and may be lawful for the said cor-
porators, or their successors, in their discretion, to take under
their guardianship all children, that may be placed under their
care and management, in either of the following modes:

**Corporators
may take chil-
dren under their
guardianship,
in certain modes**

Firstly, Children, under fourteen years of age, who may be
committed to the care of the said corporators, by any judge of
the supreme court of Pennsylvania, or of the district court of
the city and county of Philadelphia, or of the court of common
pleas of the city and county of Philadelphia, by the mayor,
recorder, or any alderman of said city.

Secondly. Children, under fourteen years of age, who shall
be voluntarily surrendered by their father, or, in case of his death,
or absence, by their mother, or by their guardian, to the care of
said corporators.

Causes for which children may be committed.

Thirdly. Children, under fourteen years of age, committed to the care of said corporators, by the president judge of the court of common pleas of any county in this commonwealth; that the causes for which children may be committed, as aforesaid, shall be vagrancy, or on account of the exposure, neglect, or abandonment, by their parents, guardians, or other persons having custody of said children; and it shall be the duty of the judge, mayor, recorder, or alderman, so committing any child to the care of said corporators, to annex to the commitment an abstract of the evidence taken by him, and on which his adjudication was founded; which said evidence shall be under oath, or affirmation, and taken in the presence of said child.

Powers and duties of corporators.

SECTION 4. That the said corporators, and their successors, shall have the guardianship of the said children, so placed under their care and management, during their minority, shall cause them to be educated and instructed in a proper manner; and may, when, in their discretion, it shall appear proper, bind the said children, with their consent, as apprentices, during their minority, to such persons, and at such places, and to learn such trades and employments, as, in the judgment of the said corporators, will be most conducive to the benefit and advantage of said children, notwithstanding that the masters, or mistresses, to whom the said children may be apprenticed, are residents of another state: *Provided*, That the charge and power of said corporators, over and upon the said children, shall not, in the case of females, extend beyond the age of eighteen years.

Proviso.

Return of children to parents.

SECTION 5. That the said corporators may, in their discretion, return children in their charge to the parents, or surviving parent, or guardian, of said children.

Children may be received from any portion of state.

SECTION 6. That the said corporators, and their successors, shall have full power and authority, in their discretion, to take under their guardianship children from any portion of this commonwealth, who may be placed under their care and management, in either of the modes set forth in section third of this act.

Misnomer.

SECTION 7. That no misnomer in devises, or bequests, to the said the Catholic Home for friendless children, shall render any such devises, or bequests, void, where the intention of the devisor, or legator, was to benefit said institution.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 353.

An Act

To authorize the Governor to furnish Tourniquets, for the use of the soldiers of this State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor of this state be and he is hereby authorized to procure for, and furnish to, the Pennsylvania troops now in, or that may hereafter be called into, the service of the United States, such a number of tourniquets, for the use of the said soldiers, as he may deem proper, not exceeding fifty for each regiment, to be paid for by the treasurer, on the warrant of the auditor general, out of any funds in the treasury not otherwise appropriated: *Provided,* That the tourniquets, thus furnished, shall not be considered the private property of the soldiers, but shall be inspected and distributed by the surgeon general of this state, under such rules and regulations as he may adopt, and to be accounted for by the surgical department of each regiment.

SECTION 2. That the expense incurred in the first section of this act be charged to the general government, as part of the outfit of the Pennsylvania troops.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 354.

An Act

To incorporate the Moshannon Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Wm. Stewart, James T. Hale, Henry Vandyke, Ephraim Hershey, H. P. Hurxtahl, Harrison Holt, James Marshall and Commissioners.

Title.**Powers and
privileges.**

Edward Blanchard, are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Moshannon Railroad Company, with all the powers and privileges, and subject to all the provisions and restrictions, of act relating to railroads, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

Capital stock.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, of twenty-five dollars each, and that the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock, if it shall be deemed necessary, to an amount not exceeding two thousand shares.

**Construction
and location of
road.**

SECTION 3. That the said company shall have the right to build and construct a railroad from the town of Moshannon, in Snowshoe township, Centre county, and state aforesaid, to connect the said road with the Bellefonte and Snowshoe railroad, at its western terminus, and to extend said road from said town, north or west, not exceeding six miles in length.

**When said may
be used.**

SECTION 4. That whenever any section, of one mile, of said road shall be completed, the said company may use, employ and enjoy the same, in the same manner as when the entire length thereof shall be constructed.

**Number of di-
rect**

SECTION 5. That the number of directors to be elected, to manage the affairs of the company, shall consist of five, one of whom shall be chosen president of said company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 355.

An Act

Relative to the American Protestant Hall and Library Association of the city and county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate used, occupied and owned by the American Protestant Hall and Library Association of the city and county of Philadelphia, situate on the north side of Locust street, east

of Fifteenth street, in the city of Philadelphia, be and the same is hereby exempted from the payment of all taxes, except state taxes, so long as the same shall be owned and used by the said association.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 356.

An Act

To exempt certain property in New Brighton, Beaver county, from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate, of about five acres, situate in the borough of New Brighton, county of Beaver, known and occupied as the New Brighton Retreat, an asylum for the reception, care and treatment, of mental alienation, or disorder, et cetera, exclusively for females, under the superintendence of Elijah Kendrick, M. D., be and the same is hereby declared exempt from all assessments and taxation, for county, school and borough purposes, so long as the same shall be devoted to, and used for, its present humane objects, and not otherwise.

JOHN CESSNA,
Speaker of the House of Representatives..

GEORGE V. LAWRENCE.
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 357.

An Act

Relating to Belmont Avenue and Plank Road Company, in the county of Philadelphia.

Authorized to
receive tolls.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same That it shall and may be lawful for the said Belmont Avenue and Plank Road Company, henceforth, to collect and receive, from all and every person using the said road, tolls at the same rates as are now authorized, by law, to be charged and collected by the Perkiomen and Sumneytown Turnpike Company.

May receive real
estate in pay-
ment of sub-
scriptions.

SECTION 2. That the said company shall be empowered to receive real estate in payment of subscriptions to its stock, and is hereby authorized to hold, sell and convey real estate not exceeding ten acres, at any one time.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 358.

A Further Supplement

To an act, entitled "An Act to incorporate the Philadelphia and Crescent Navigation Company," approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

Authorized to
increase capital
stock and build
four steamers.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the capital stock of the California, Philadelphia and European Steamship Company be and the same is hereby enlarged from five hundred thousand to two millions of dollars, and that the said company shall be authorized to build four steamers, which shall be of such tonnage and construction as the directors of said company may hereafter determine.

SECTION 2. That any railway, or other corporation, of the state of Pennsylvania, be and the same is hereby authorized to subscribe to the capital stock of said steamship company, and also to guarantee either the dividends or the stock, or a portion of the same, which may be subscribed by others, on such terms, and in such manner, as they may deem proper. Other corporations may subscribe, &c.

SECTION 3. That any thing in the charter of the said steamship company, or that of other corporations, inconsistent with this act, is hereby repealed. Repeal.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 359.

Supplement

To an act, entitled "An Act to incorporate the Lombard and South Street Passenger Railway Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lombard and South Street Passenger Railway Company shall have authority to increase the number of shares of their capital stock to ten thousand, and to reduce the par value of such shares to twenty-five dollars each. May increase number and reduce par value of shares of stock.

SECTION 2. That the said company shall have authority to extend their railway, either by a double or a single track, with sidings, from the intersection of Front and Lombard streets, along said Front street to Dock street, and along said Dock street to Delaware avenue. Certain extension of road authorized.

SECTION 3. That the said railway company are hereby authorized and empowered to construct, and lay, the said railway without obtaining the consent of the city councils, of said city, thereto, anything in the act to which this is a supplement, to the contrary thereto notwithstanding. Consent of city councils not necessary.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 360.

A Supplement

To the act for the regulation of the Militia of the Commonwealth of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the duly qualified and elected assessors of the respective wards of the city of Philadelphia, who shall have made such military enrolment as is required to be made by them, under the act of assembly, approved April twenty-first, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act for the regulation of the militia of the commonwealth of Pennsylvania," for the year Anno Domini one thousand eight hundred and sixty-two, and who shall have returned, or shall return the same, with an affidavit thereto attached, in the form required by the sixth section of said act of April twenty-first, Anno Domini one thousand eight hundred and fifty-eight, to the county commissioners of said city, shall be paid and receive for such services, rendered in making the said military enrolment, the sum of two hundred dollars each, out of the city treasury, upon warrants to be drawn upon the city treasury by the county commissioners of the city of Philadelphia.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 361.

An Act

To repeal an act relative to the Woodlands Cemetery, approved the thirteenth February, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the act relative to the Woodlands cemetery, approved the thirteenth day of February, Anno Domini one thousand eight hundred and sixty-three, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 362.

An Act

To authorize the supervisors of the township of Upper Mount Bethel, in the county of Northampton, to levy and collect, by tax, sufficient to pay certain soldiers of said township.

WHEREAS, Certain citizens of the township of Upper Mount Bethel, in the county of Northampton, in this commonwealth, in order to secure the proper quota of volunteers for said township, to avoid, as far as practicable, the draft ordered, contributed the sum of six thousand dollars, or thereabouts, which was paid out to volunteers and drafted men from said township, who entered the service of the United States under the requisition of August fourth, one thousand eight hundred and sixty-two, as bounties upon their enlistment therein: Preamble.

And whereas, It was the understanding, that the amount so contributed should be re-paid to those who would advance the same, by a tax to be levied and collected from citizens of the said township generally: *Provided*, The legislature would authorize and legalize the same:

And whereas, It is right and proper that the expenditure, so made for bounties as above stated, should be divided equally among all the citizens of the said township; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the supervisors of said township be and the same are hereby authorized to forthwith divide the said sum of six thousand dollars between, and among, all the citizens of the said township, now subject to the payment of county tax therein, in the same proportion, and upon the same valuation, as the said county tax is now levied in the said township, and assess upon each citizen, so subject to county tax as aforesaid, his, or her, share of said six thousand dollars, *pro rata*, according to the Supervisors authorized to assess a tax for payment of bounties advanced by certain citizens.

- amount of county tax now assessed to such; and thereupon, after two weeks' notice, published by ten, or more, handbills put up in the most public places in said township, fixing a time and place therein where they will attend, and shall there receive the amounts, so assessed, from all who shall there attend and pay their assessments.
- Notice to be given.**
- Appointment of collectors.** SECTION 2. That the said supervisors shall, immediately after the said day of meeting to receive payment as above stated, appoint a discreet and proper person as collector, who shall, before entering upon the duties of his appointment, give bond, with two sufficient securities, to be approved of by the said supervisors, to the commonwealth, for the use of all interested, in double the amount of the assessments remaining unpaid, to be delivered to the said supervisors; and thereafter, the said collector shall have authority to levy and collect the assessments remaining unpaid, with five per centum additional added, to defray the expenses of such collector, from all who shall not have paid their assessment to the said supervisors; and if any person shall neglect, or refuse, to make payment of the sum assessed to him, as above provided for, it shall be lawful for the said collector, having first obtained a warrant under the hand and seal of any justice of the peace in said township, to levy the same by distress and sale of the goods and chattels of such delinquent.
- Bond and compensation of.**
- Delinquents, relative to.**
- Supervisors, within a certain time, to repay contributors to bounty fund.** SECTION 3. That the said collector shall, within six weeks from the date of his appointment, pay over, to the said supervisors, the amounts by him collected; and the said supervisors shall thereupon, within ten days thereafter, refund and re-pay, with the moneys received by them, to the citizens who contributed to the said bounty fund, the amount of their said contributions, taking receipt therefor.
- Statement to be prepared and submitted to auditors.** SECTION 4. That upon complecture of the said payment, the said supervisors shall prepare a detailed statement of their receipts and payments, and submit the same to the township auditors, whose duty it shall be to examine and audit the same, and permit the same to be inspected by whomsoever may desire to examine it.
- Volunteers and drafted men exempt from taxation.** SECTION 5. That the volunteers and drafted men from said township, now in the service of the United States, or who, having been in, and are honorably discharged, shall be free and exempt from the taxation above provided for.
- Compensation of supervisors, &c.** SECTION 6. That the compensation of supervisors shall be two per centum on the amount of taxes collected by them, and the compensation of the collector, appointed by said supervisors, shall be five per centum on the amount so collected by him: *Provided*, That the provisions of this act shall not be carried into effect until ratified by a majority of the qualified voters of said township, at an election to be held on the twenty-eighth day of April, one thousand eight hundred and sixty-three, at the usual place of holding the elections in and for said township; said election to be held by the regular election officers; and the tickets, or ballots, to be cast at that time, shall be printed, or written, on the outside, for "volunteer bounty tax," and on inside, "for volunteer bounty tax," and "against volunteer bounty tax," so as to afford the qualified voters, of said town-
- Vote to be taken upon the acceptance of this act.**
- How election to be conducted.**

ship, an opportunity to express their desires on this question:
Provided, That the constable of said township shall give ten Constable to
 days' notice, prior to the election, by ten, or more, printed, or give notice.
 written, handbills, put up in the most public places in said
 township.

JOHN CESSNA,
 Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
 Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one
 thousand eight hundred and sixty-three.

A. G. CURTIN.

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No. 363.

A Further Supplement

To an act incorporating the city of Harrisburg, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
 That Filbert street, in the city of Harrisburg, from South street
 to Walnut street, in a straight line, shall be of the uniform width
 of sixty feet, instead of fifty feet, as now provided; and that
 Kelker street, between Seventh street and Thompson alley,
 shall be of the width of thirty feet, and no more.

JOHN CESSNA,
 Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
 Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one
 thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 364.

An Act

Authorizing the Auditor General, State Treasurer and Attorney General to examine the claims of Bernard M'Colgan, Jacob Stineman and of Stephen A. and Peter Moyers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, state treasurer and attorney general, be and they are hereby authorized to examine the claim of Bernard M'Colgan, for furnishing coal to the commonwealth, on the Allegheny Portage railroad, and for breaking of railroad cars on said railroad; the claim of Jacob Stineman, for cordwood furnished the commonwealth; also, the claim of Stephen A. and Peter Moyers, for cordwood destroyed by the locomotive engines of the commonwealth; and if, in equity, any amount be found due said Bernard M'Colgan, Jacob Stineman and Stephen A. and Peter Moyers, or either of them, to report the same to the next legislature.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 365.

An Act

To provide for the ordinary expenses of the Government, and other general and specific appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby specifically appropriated to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini

Appropriations.

one thousand eight hundred and sixty-three, to be paid out of any money in the treasury not otherwise appropriated.

SECTION 2. For the salary of the governor of the common-wealth, four thousand dollars. Salary of governor and heads of departments.

For the salary of the secretary of the commonwealth, one thousand seven hundred dollars.

For the salary of the deputy secretary of the commonwealth, one thousand five hundred dollars.

For the salary of the auditor general, one thousand seven hundred dollars.

To the present auditor general, the sum of three hundred dollars, out of the surplus fund in the treasury on the thirtieth day of November, one thousand eight hundred and sixty-two, from receipts under the free banking system, after paying expenses thereof, for his services in connection with said system.

For the salary of the surveyor general, one thousand six hundred dollars.

For the salary of the attorney general, three thousand dollars.

For the salary of the state treasurer, one thousand seven hundred dollars.

For the salary of the superintendent of common schools, one thousand six hundred dollars.

For the salary of the state librarian, eight hundred dollars.

For the salary of the superintendent of public printing, eight hundred dollars, and for office rent ninety dollars, or so much thereof as may be expended therefor; and the said superintendent of public printing shall, hereafter, report annually to the legislature the amount of public printing done, of every kind, and the quantity of paper purchased, and the prices paid for each; that the superintendent of public printing is hereafter required to be and remain in Harrisburg, three days of each and every week, during the session of the legislature. Superintendent of public printing.

SECTION 3. For the salary of the private secretary of the governor, fifteen hundred dollars; and the governor is hereby authorized to employ a military secretary, at a salary of one hundred and twenty-five dollars per month, so long as the services of said secretary may be necessary; which amount shall be paid by the state treasurer, upon the warrant of the governor. Executive department.

For messenger in executive department, five hundred dollars.

SECTION 4. For the salary of the chief clerk in the office of the secretary of the commonwealth, one thousand three hundred dollars. Clerk hire, &c., in state department.

For the salary of the military clerk, one thousand dollars, and the further sum of one hundred dollars, to be computed from the first of June, one thousand eight hundred and sixty-two.

For the salary of the commission clerk, one thousand dollars, and the further sum of one hundred dollars, to be computed from the first of June, one thousand eight hundred and sixty-two.

For the salary of the first transcribing clerk, one thousand dollars, and the further sum of one hundred dollars, to be computed from the first of June, one thousand eight hundred and sixty-two.

For the salary of the second transcribing clerk, nine hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, one thousand eight hundred and sixty-two.

For the salary of the third transcribing clerk, nine hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, one thousand eight hundred and sixty-two.

For the salary of the messenger in the state department, six hundred dollars.

For the record clerk, one thousand dollars, from the first of August, one thousand eight hundred and sixty-two.

For the salary of the assistant messenger in the state department, one hundred and eighty dollars.

For postage, telegrams, freights, and express charges, in the state department, thirteen hundred dollars, or so much thereof as may be necessary.

For blank books, fifty dollars, or so much thereof as may be necessary.

For stationery, six hundred dollars, or so much thereof as may be necessary.

For fuel and lights in the state department, one hundred and twenty-five dollars, or so much thereof as may be necessary.

For cleaning offices, one hundred dollars, or so much thereof as may be necessary.

For miscellaneous expenses, two hundred dollars, or so much thereof as may be necessary.

For carpeting, papering, painting, et cetera, in executive ante-chamber, four hundred and fifty dollars, or so much thereof as may be necessary.

For expenses of engraving and issuing commissions to officers in the volunteer regiments, who have been, now are, or hereafter may be in the service of the United States, the sum of three thousand dollars, or so much thereof as may be necessary.

Auditor general's office.

SECTION 5. For the salary of the chief clerk in the auditor general's office, one thousand three hundred dollars.

For the salary of the clerk in the banking department, one thousand two hundred dollars.

For the salary of the clerk in department for settling accounts of county treasurers, prothonotaries, registers, recorders, clerks of courts, et cetera, one thousand one hundred dollars.

For the salary of the clerk for settling the accounts of corporations, and in charge of the business with foreign insurance companies, reports of railroads and manufacturing companies, et cetera, one thousand one hundred dollars.

For the salary of warrant and bond clerk, one thousand one hundred dollars.

For the salary of registering and copying clerk, one thousand dollars.

For the salary of clerk in charge of papers relating to the public improvements, formerly owned by the state, for settling accounts of military disbursing officers, and assisting chief, corporation and warrant clerks, one thousand dollars.

For salary of clerk for copying accounts, appeals, correspondence, reports, et cetera, nine hundred dollars.

For salary of messenger, five hundred dollars.

For postage and telegrams, five hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, three hundred and fifty dollars, or so much thereof as may be necessary.

For fuel, seventy-five dollars, or so much thereof as be necessary.

For miscellaneous expenses of the office, seventy-five dollars, or so much thereof as may be necessary.

SECTION 6. For the salary of five clerks in the surveyor general's office, the sum of one thousand dollars each, four of whom shall make out and furnish to each county in this commonwealth a list of lands on which the state has any lien, in accordance with the requirements of the act of March twenty-first, Anno Domini, one thousand eight hundred and sixty. Surveyor general's office.

For the salary of the chief clerk in the surveyor general's office, the sum one thousand three hundred dollars.

For the salary of messenger, five hundred dollars.

For postage in the office of the surveyor general, four hundred dollars, or so much thereof as may be necessary.

For stationery, two hundred dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses, one hundred dollars, or so much thereof as may be necessary.

For fuel, seventy-five dollars, or so much thereof as may be necessary.

SECTION 7. For the salary of the clerk in the office of the attorney general, fifteen hundred dollars. Attorney general's office.

For the contingent expenses in the attorney general's office, three hundred and fifty dollars, or so much thereof as may be necessary.

SECTION 8. For the salary of the chief clerk in the office of the state treasurer, one thousand six hundred dollars. State treasury.

For the salary of the book-keeper, one thousand one hundred dollars.

For the salary of the account clerk, one thousand one hundred dollars.

For the salary of the recording clerk, one thousand dollars.

For the salary of the messenger and night-watch of the treasury department, six hundred and fifty dollars.

For postage and telegrams in the treasury department, four hundred and seventy-five dollars, or so much thereof as may be necessary.

For stationery and blank books, two hundred and fifty dollars, or so much thereof as may be necessary.

For express charges, one hundred dollars, or so much thereof as may be necessary.

For fuel and light, seventy-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

SECTION 9. For the salary of the messenger in the adjutant general's office, the sum of four hundred dollars. Adjutant general's office.

Commissioners
of sinking fund
and clerk hire.

SECTION 10. That the state treasurer is hereby required to pay to each of the commissioners of the sinking fund the sum of three hundred dollars, and they are hereby authorized and required to impose the duties of clerk to said commissioners upon one of the clerks of the treasurer's department, at an increased salary not exceeding two hundred dollars per annum.

School depart-
ment.

SECTION 11. For the salary of the deputy superintendent of common schools, one thousand two hundred dollars.

For the salary of the warrant clerk in the school department, one thousand dollars.

For the salary of the report clerk, one thousand dollars.

For the salary of the letter clerk, one thousand dollars.

For the salary of the messenger, five hundred dollars.

For stationery and blank books in the school department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams and express expenses, one thousand dollars, or so much thereof as may be necessary.

For fuel, light, cleaning office and miscellaneous expenses of the school department, one hundred and ten dollars, or so much thereof as may be necessary.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the several school districts of the state, six hundred dollars, or so much thereof as may be necessary.

For expenses of inspection and advertising Normal school of fifth district, two hundred and fifty dollars, or so much thereof as may be necessary, as may appear by the certificate of the state superintendent of common schools.

For engraving and printing warrants for district appropriation, and teachers' diplomas and certificates, two hundred and seventy-five dollars.

For cleaning department, and miscellaneous, one hundred dollars.

State library.

SECTION 12. For the salary of assistant librarian, one hundred and fifty dollars.

For the purchase of law, and miscellaneous books, three hundred dollars.

For the exchange of law books, including Purdon's Digest, three hundred and fifty dollars, or so much thereof as may be necessary.

For postage, freight on books, stationery, purchasing books, cleansing apartments, making fires, et cetera, two hundred dollars, or so much thereof as may be necessary; and the further sum of fifty-two dollars and seventy-two cents, for the purpose of paying an excess of expenditure over the appropriation for these purposes, during the year one thousand eight hundred and sixty-two.

For binding, one hundred dollars, or so much thereof as may be necessary.

Printing.

SECTION 13. For the public printing, folding, stitching and binding, thirty thousand dollars, or so much thereof as may be necessary, on settlement of the account of the public printer according to law: *Provided*, That the state printers shall be allowed an increase for the blanks, printed under their contract between the first day of November, one thousand eight hundred

Increase for
blanks allowed.

and sixty-two, and first day of July, Anno Domini one thousand eight hundred and sixty-three, equal to fifteen cents per pound, on the paper used in such blanks.

SECTION 14. For the payment of the expenses of the legisla- Legislature.
ture, including the pay and mileage of members, clerks, and officers thereof, and the amount authorized by law for stationery, et cetera, the sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary, to be settled by the auditor general, according to law.

SECTION 15. For packing and distributing the laws and jour- Packing and
nals of the legislature, to be performed under the direction of distributing
the secretary of the commonwealth, seven hundred dollars, or laws.
so much thereof as may be necessary.

SECTION 16. For miscellaneous expenses, to be first audited Miscellaneous
by the auditor general, before being paid by the state treasurer, expenses.
the sum of seven thousand dollars, or so much thereof as may be necessary.

SECTION 17. For the salaries of the judges of the supreme court, Judges of su-
the sum of twenty-one thousand five hundred dollars, or so preme court.
much thereof as may be necessary.

SECTION 18. For the payment of the salaries of the judges Judges, Phila-
of the district court, and the judges of the court of common delphia.
pleas of the city of Philadelphia, the sum of eighteen thousand dollars, or three thousand dollars to each judge.

SECTION 19. For the payment of the judges of the district Judges, Alle-
court, and the president and assistant law judges of the court gheny county.
of common pleas of the county of Allegheny, fifteen thousand dol-
lars, and also three thousand, for the law judge appointed by
act of April eleventh, Anno Domini one thousand eight hundred
and sixty-two, or so much thereof as may be necessary.

SECTION 20. For the payment of the salaries and mileage of Judges of courts
the president, additional and associate law judges of the several of common
courts of common pleas in this commonwealth, except in the city pleas.
of Philadelphia, and the county of Allegheny, the sum of fifty-
five thousand dollars, or so much thereof as may be necessary.

SECTION 21. For the payment of the salaries and mileage of Associate
the associate judges of the courts of this commonwealth, the Judges.
sum of forty thousand dollars, or so much thereof as may be
necessary.

SECTION 22. For the payment of the interest on the funded Interest on state
debt of the commonwealth, that will fall due on the first days debt.
of July and August, Anno Domini one thousand eight hundred
and sixty-three, and on the first days of January and February,
Anno Domini one thousand eight hundred and sixty four, the
sum of one million nine hundred and seventy-six thousand
seven hundred and seventy-three dollars, or so much thereof as
may be necessary.

SECTION 23. For the instruction of indigent pupils in the Deaf and dumb.
Pennsylvania institution for the instruction of the deaf and
dumb, twenty-five thousand dollars, to be paid in proportion to
the number of indigent pupils from the several counties of the
commonwealth, at the rates prescribed by law, the evidence of
which is to be presented to the state treasurer.

For the Northern Home for friendless children, the sum of
five thousand dollars.

- Northern Home for friendless children.** For the Northern Home for friendless children, the sum of five thousand dollars, for the purpose of aiding in the erection of an additional building, to be used as an infirmary, or otherwise: *Provided*, That a like amount, or such further sum as may be required for the construction of said building, shall be raised by individual subscription, or otherwise: *Provided further*, That no more than one-half the cost of such building and premises, shall, in any event, be paid by the state of Pennsylvania: *And provided further*, That no part of the said sum of five thousand dollars, shall be paid by the state treasurer, until he shall have been satisfied that these provisions have been complied with.
- Proviso.**
- Proviso.**
- Proviso.**
- St. Joseph's hospital.** For the Saint Joseph's hospital, at Philadelphia, the sum of five thousand dollars.
- Orphans' Farm school.** For the Orphans' Farm school, at Zelienople, Butler county, five thousand dollars, to be applied to the re-construction of the building occupied by said school: *And provided*, That the property shall not be alienated from its present objects, without the whole of this appropriation being re-imbursed to the commonwealth.
- Home for friendless children in Wilkesbarre.** For the Home of Friendless Children in the borough of Wilkesbarre, the sum of twenty-five hundred dollars, to be applied to the construction of a suitable building for said institution: *Provided*, That the property shall not be alienated from its present objects, without the whole of this appropriation being re-imbursed to the commonwealth: *And provided further*, That this sum shall not be paid unless the sum of five thousand dollars, in addition to any sum hereafter subscribed, shall first be secured, or paid, from other sources, to the satisfaction of the state treasurer, for the use of said last mentioned institution.
- Proviso.**
- Blind.** SECTION 24. For the Pennsylvania institution for the instruction of the blind, the sum of twenty-four thousand eight hundred dollars, to be paid in proportion to the number of indigent pupils from the several counties of the commonwealth, at the rates prescribed by law, the evidence of which is to be furnished to the state treasurer.
- Western Pennsylvania hospital.** SECTION 25. For the Western Pennsylvania hospital, eight thousand five hundred dollars, to be applied to the salaries of officers, and nineteen thousand six hundred dollars for the completing of the new Dixmont hospital for the insane; and for the improvement of the grounds thereof, for the erection of a building for the use of the resident physician and other officers, the sum of six thousand dollars.
- Pennsylvania State Lunatic hospital.** SECTION 26. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages, and for repairs to the building and machinery, and for the support of the house, the sum of fifteen thousand dollars, three thousand dollars thereof to be applied to the perpetual insurance of buildings, or so much thereof as may be necessary.
- Feeble-minded children.** SECTION 27. For the Pennsylvania Training School for feeble-minded children, at Media, in the county of Delaware, the usual sum for each pupil, as provided by the act of incorporation: *Provided*, That the number of said pupils shall not exceed eighty.
- Proviso.**

SECTION 28. For the Philadelphia School of Design for women, Philadelphia the sum of two thousand dollars, to be paid out of and deducted School of Design from that part of the school fund appropriated to the city of sign for women. Philadelphia.

SECTION 29. For the support of the common schools, to be paid on warrants drawn by the superintendent, in favor of the several school districts of the commonwealth, in proportion to the number of pupils attending the schools therein, by the superintendent's report of one thousand eight hundred and sixty-three, the sum of three hundred and sixteen thousand eight hundred and twenty-five dollars, inclusive of the salaries of the county superintendents, and of five thousand dollars to the State Normal school of the fifth district, in Mansfield, Tioga county, and of one dollar a year, for one copy of the Pennsylvania School Journal, to be subscribed for and sent to each board of school directors in the state, for public use, according to the act of assembly, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-five, for the school year which will begin on the first Monday in June, Anno Domini one thousand eight hundred and sixty-three, to be accounted for in the usual manner: *Provided*, That the city of Philadelphia shall be entitled to a proportion on said basis without contributing to the salaries of the county superintendents. The sum of five thousand dollars is hereby appropriated to the State Normal school, of the second district, in the county of Lancaster, but that neither of the State Normal schools shall alienate nor direct to any other uses than those provided by act of May twentieth, one thousand eight hundred fifty-seven, any of the real or personal property belonging to said schools, without first reimbursing to the state the whole amount of any appropriation that has been, or that may be, made for their use and benefit: *And provided further*, That the sums, hereinbefore given to the State Normal schools, shall only be payable on production to the superintendent of common schools, of a duly certified copy of the proceedings of a general meeting of the stockholders thereof, respectively, held after thirty days' public notice, for the purpose, agreeing, by a majority of said contributors or stockholders, that the capital stock thereof shall be reduced by an amount equal to that hereby appropriated by the state, (to effect which reduction, when thus agreed to, authority is hereby given to the trustees of said schools, respectively, to call in the present certificates of stock, and issue others in lieu thereof, of such amounts as shall effect said reduction,) and that should dividends be hereafter declared, by either of said schools, such dividends shall in no case exceed six per centum on said reduced capital stock. Common and Normal schools. *Proviso.*

SECTION 30. For the payment of the salaries of the officers of the Eastern Penitentiary, the sum of twelve thousand eight hundred dollars, and for repairs of said penitentiary, fifteen hundred dollars, in equal quarterly payments, on or after the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-three, and March, Anno Domini one thousand eight hundred and sixty-four; and for each discharged convict from the city of Philadelphia, or whose residence is within fifty miles thereof, the Eastern Penitentiary.

Proviso.

sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles, or over, from the said penitentiary: *And provided further*, That the sum of three thousand dollars is hereby appropriated for the purpose of securing an ample supply of fresh water for said penitentiary; and two thousand five hundred dollars for the manufacture, in said penitentiary, of gas for lighting the corridor, yards and walls inside the same; and for books and stationery for the use of the convicts, two hundred and fifty dollars, to be expended under the direction of the warden, or so much thereof as may be necessary, and to be accounted for to the auditor general.

Western Penitentiary.

SECTION 31. For the payment of the salaries of the officers of the Western Penitentiary, the sum of thirteen thousand two hundred dollars, to be paid in equal quarterly payments, on and after the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-three, and March, Anno Domini one thousand eight hundred and sixty-four; and for each discharged convict whose residence or settlement is within fifty miles of said penitentiary, the sum of five dollars, and ten dollars to each discharged convict whose residence or settlement is fifty miles, or over, from said penitentiary.

For books and stationery for the use of the convicts, two hundred and fifty dollars, to be expended under the direction of the warden, or so much thereof as may be necessary, and to be accounted for to the auditor general.

House of Refuge, Philad'a.

SECTION 32. For the House of Refuge in Philadelphia, nineteen thousand dollars.

House of Refuge, Allegheny county.

SECTION 33. For the House of Refuge of Western Pennsylvania, in the county of Allegheny, the sum of six thousand dollars, for furniture, re-building wall, and for additional boiler and house, with steam connections for new building, or so much thereof as may be needed.

For the salaries of officers for the year one thousand eight hundred and sixty-three, the sum of eight thousand dollars.

Pensions and gratuities.

SECTION 34. For the payment of pensions and gratuities, the sum of seven thousand dollars, and such further sum as may be necessary to pay to the widows and children of deceased soldiers, such sum or sums as they may be entitled to receive according to law.

Water and gas for public buildings.

SECTION 35. For the payment to the city of Harrisburg, for supplying the public buildings with water, according to the act of April twenty-eighth, Anno Domini one thousand eight hundred and forty, the sum of six hundred dollars; and also for gas for the public buildings and walks, such amount as may be found due the Harrisburg gas company, on the contract with the company, and upon a regular account being rendered to the auditor general, who is hereby authorized to examine and settle the same, in the same mode and manner as other accounts are settled in said department, in pursuance of its charter and supplement, to be paid on the warrant of the auditor general.

Public buildings and grounds.

SECTION 36. For the superintendent and watchman of the public buildings and grounds, the sum of two dollars and fifty cents per day during the period of his appointment.

For repairs at the governor's house, the sum of four hundred dollars, or so much thereof as may be necessary.

For repairs and extension of the state arsenal at Harrisburg, heretofore made, the sum of fifteen hundred and seventy dollars, or so much thereof as may be necessary.

For wages and incidental expenses on public grounds, and relaying stone steps in front of capitol, making brick gutters along the walks, and purchasing and planting trees, the sum of two thousand dollars, or so much thereof as may be necessary, to be expended by the superintendent, under the supervision and direction of the governor and auditor general; and that the clerks of the two houses be and they are hereby authorized to make all necessary repairs to the public buildings at the capitol, the accounts to be settled in the usual manner by the auditor general, and paid upon the joint order of said clerks.

SECTION 37. For George Bergner, seven dollars per page for the Legislative Record, published during the present session of the legislature, the amount to be certified by the superintendent of public printing, and upon such certificate the state treasurer shall pay the same, and for making an index to the same, the further sum of one hundred and fifty dollars is appropriated to the publisher of the record: *Provided*, That the making of the index does not detain the forwarding of the bound copies more than two weeks: *And provided further*, That any contract, or supposed contract, with George Bergner, shall cease and determine with the close of the present session.

SECTION 38. For each of the fire companies of the city of Harrisburg, the sum of fifty dollars.

SECTION 39. For transcribing for the committee of ways and means, to be paid on the order of the chairman, the sum of thirty dollars, and for transcribing for finance committee, to be paid on order of chairman, the sum of thirty dollars.

SECTION 40. That the state treasurer is hereby authorized and directed to pay to each of the chief clerks of the Senate and House of Representatives, the usual per diem for ten days' service after the close of the session, and the usual per diem to three additional officers, who may kept by each clerk to assist him in his duties; and to the chief clerk of the Senate and House for the expense of indexing the journals, the sum of one hundred and twenty-five dollars each; and for miscellaneous expenses of the chief clerks of the Senate and House of Representatives, attendant upon their duties during the recess, each the sum of one hundred dollars.

SECTION 41. That the state treasurer is hereby authorized and directed to pay William H. Huddleson the per diem, mileage and salary of a transcribing clerk of the Senate, and to Samuel Taylor the per diem, mileage and salary of a transcribing clerk of the House from the time of his appointment; and to Thomas A. Maguire, former clerk of the Senate, fifty dollars, being balance due him for indexing the Senate journal for one thousand eight hundred and fifty-six, as appears by the certificate from the auditor general's office; and that the pasters and folders of the House shall be entitled to the same compensation as the assistant door-keepers.

SECTION 42. For the payment of John A. Smull, for his ser-

Repairs to executive mansion and state arsenal.

George Bergner, publisher of the Legislative Record.

Proviso.

Contract to cease.

Fire companies, Harrisburg.

Transcribing for committees.

Miscellaneous expenses of chief clerks of Senate and House.

William H. Huddleson. Samuel Taylor.

Thomas A. Maguire.

Pasters and folders.

John A. Smull.

vices to the House of Representatives as an assistant clerk for the present session, and for services during the recess, filing away and taking charge of the papers and documents, the sum of one thousand dollars; and it shall be his duty to receive from the state printers the bound copies of the Daily Record, and forward the same to the address of the members of the legislature, as soon as practicable after the adjournment.

Pages. SECTION 43. That the state treasurer is hereby authorized to pay to the chief clerk of the Senate and House of Representatives, the sum of one dollar per day for each of the pages employed by the Senate and House during the present session, the vouchers for the same to be furnished in the usual manner.

John Vogelsong and Edward Chappel. SECTION 44. That the state treasurer is hereby authorized to pay to John Vogelsong and Edward Chappel, at the rate of two dollars per day, for services in cleaning and keeping in order the closets in the basement of the capitol, and also to Daniel

Daniel Krause. Krause, door-keeper in the rotunda, the sum of two dollars per day, the actual number of days employed, and mileage, to be certified to by the clerk of the House; and to L. Webster the sum of two dollars per day and mileage, as assistant.

L. Webster. SECTION 45. For the payment of the firemen, having in charge the furnaces in the basement, the sum of two dollars per day, the actual number of days employed to be certified to by the clerks of the two houses.

Firemen. SECTION 46. For the payment of express charges, packing and distributing bound copies of Daily Legislative Record, the sum of one hundred dollars, or so much thereof as may be necessary; for the expense of folding and mailing the back numbers of the Daily Record for the members of the House of Representatives, the sum of two hundred dollars, or so much thereof as may be necessary, to be disbursed by John A. Smull; and to each of the officers of the Senate and House of Representatives, including the six persons named in the forty-fourth and forty-fifth sections of this act, whether elected or appointed, except the speakers and pages, an extra allowance of one hundred dollars, in addition to the pay and salary now allowed by law, for services during the present session; to the several pages, the sum of ten dollars extra; and to the several women employed by the clerks of the two houses, to cleanse the halls, the sum of ten dollars extra.

Packing and distributing the Daily Record. SECTION 47. That all annual salaries herein provided for, and also all appropriations to penitentiaries, and houses of refuge, and charitable institutions, shall be paid quarterly, at the office of the state treasurer, unless otherwise specified by law; and that no money appropriated by this act, for any specific object, shall be applied to any other in any of the charitable institutions, penitentiaries or houses of refuge.

Salaries and appropriations, how to be paid. SECTION 48. To William P. Brady, for services as librarian of the Senate, the same compensation as is allowed to a transcribing clerk, and for thirty-one days' extra services, at the same rate as librarian, and for distributing and filing the Legislative Record, one hundred and twenty-five dollars; the said librarian to place forty copies of the Daily Legislative Record at the public bindery to be bound, thirty-five copies for the use of the senators and principal clerks, four copies for the state library, and

William P. Brady.

one to be reserved for the use of the Senate; and to be distributed to the senators and clerks with the laws and journals, by the secretary of the commonwealth; and to John A. Small and William P. Brady, each, the further sum of one hundred dollars, for services after the session of one thousand eight hundred and sixty-two.

SECTION 49. That the state treasurer be and he is hereby authorized and directed to pay to each member of the special committees, of either the Senate or House of Representatives, who shall have left Harrisburg on the business of such committee, the sum of twenty-five dollars, and mileage in addition thereto, at the rate of ten cents per mile, to be computed according to the distance actually traveled; and also the necessary expenses of the governor during his visit to Washington, with the committee, on the subject of establishing a navy yard at League Island.

SECTION 50. For the payment of incidental expenses, incurred by the commissioners appointed to revise the revenue laws of the state, the sum of one hundred and sixty-one dollars and ninety-seven cents, to be paid on the order of R. B. M'Comb, one of said commissioners.

SECTION 51. For assistant librarian, Wallace DeWitt, the sum of one hundred and fifty dollars, as an especial appropriation for extra services, rendered during the present session of the legislature, and the further sum of thirty-seven dollars and fifty cents, for his salary from January first up to March twentieth, one thousand eight hundred and sixty-three.

SECTION 52. To William Cooper, the sum of one dollar per day, in addition to his compensation as page, for services rendered the House of Representatives during the present session.

SECTION 53. For the Mercy hospital, the sum of five thousand dollars; and that said sum shall be paid over to William H. Smith, James Herdman, R. J. Grace, James M'Cabe, W. H. M'Gee, James P. Barr, John B. M'Fadden and James Woodwell, of the county of Allegheny, and distributed under their direction; and said persons shall make report to the next session of the manner in which said sum shall have been distributed.

SECTION 54. For the Home for friendless children, for the city and county of Lancaster, the sum of two thousand dollars.

SECTION 55. For the Jewish Foster home society, of Philadelphia, the sum of one thousand dollars.

For the payment of the Réverend John W. Davis, for one year's services in the performance of the duties of a post chaplain in Camp Curtin, the sum of five hundred dollars.

For the Penn asylum of Philadelphia, for indigent widows and single women, the sum of one thousand dollars.

SECTION 56. For Wills hospital, in the city of Philadelphia, the sum of four thousand dollars, or so much thereof as may be necessary: *Provided*, That the same shall be expended in the treatment of those patients who are unable to pay; and a detailed statement thereof shall be made to the auditor general.

SECTION 57. To Benjamin F. Kelley, for services of twenty-one assistant sergeant-at-arms, employed by him, under a resolution of this house, on the occasion of the election of United States Senator, the sum of sixty-three dollars.

Charles T. Huston.

SECTION 58. For the salary of the assistant postmaster of the House of Representatives, Charles T. Huston, the same pay and mileage of a transcribing clerk.

Peter S. Walsh, S. W. Trimmer, and Henry J. Myers.

SECTION 59. That the state treasurer be and he is hereby authorized and required to pay to Peter S. Walsh, S. W. Trimmer, and Henry J. Myers, contestants for seats in the last legislature, each the sum of seven dollars per day, from the commencement of the session of the legislature of one thousand eight hundred and sixty-two, to the date of the report of the committees selected to try the contested election cases, and in which they were contestants, and the usual mileage now allowed, by law, to members of the legislature; and to Harman Baugh and Robert M. Carlisle, contestants for seats, the sum of one hundred and fifty dollars each.

Harman Baugh, Robert M. Carlisle.

Passavant's hospital.

SECTION 60. For the Pittsburgh infirmary, known as Passavant's hospital, in Allegheny county, under the charge and direction of Reverend W. A. Passavant, the sum of four thousand dollars, to be paid to the managers of said institution.

Gideon Marlett.

SECTION 61. That the auditor general is hereby authorized and directed to examine the claim of Gideon Marlett, assignee of Michael O'Brien, deceased, for labor done on the Allegheny Portage railroad, in the months of April, May, and June, one thousand eight hundred and forty-nine, amounting to the sum of fifty-four dollars and nineteen cents; and if the same be found to be due, and unpaid, and the said Marlett be equitably entitled to receive it, then the auditor general shall draw his warrant upon the state treasurer for the amount, in favor of said Marlett.

Expenses of investigating committees.

For the payment of expenses of investigating committee of the present session, so much as may be necessary to be paid, on orders drawn by the chairman of said committee: *Provided*, That said committees shall make their final report before the thirteenth day of April.

David Peelor.

SECTION 62. That the state treasurer is hereby authorized to pay to David Peelor, three hundred dollars, for a drafting machine, invented by himself, for the use of the surveyor general's office.

Number of officers of the Legislature fixed.

SECTION 63. That the officers of the legislature, after the present session, shall be as follows, to wit: For the Senate, one chief clerk, one assistant clerk, three transcribing clerks, one librarian, one sergeant-at-arms, one assistant sergeant-at-arms, one door-keeper, four assistant door-keepers, one messenger, and one assistant messenger, four pages, one fireman, and one door-keeper in the rotunda; and for the House of Representatives, one chief clerk, one assistant clerk, four transcribing clerks, one sergeant-at-arms, two assistant sergeant-at-arms, one door-keeper, two assistant door-keepers, one messenger, and two assistant messengers, a postmaster, and four pasteurs, and four folders, eight pages, one fireman, and one door-keeper, in the the rotunda, and no more; and none of said officers shall return, as such, to the next meeting of the legislature, except the chief clerks, the assistant clerks, and one transcribing clerk, for each house, to be designated by the chief clerk, the librarian, the sergeant-at-arms, and one assistant, the door-keepers, and one assistant, and the messengers and postmaster; and all acts, and

parts of acts, inconsistent with the provisions of this section, are hereby repealed; and it shall not be lawful, for either house, to increase the number of officers, hereby provided, without the consent of either house.

SECTION 64. That the state treasurer is hereby authorized and directed to pay Theodore F. Schaffer one hundred and twenty-one dollars and fifty cents, and to William D. Jack & Co. ninety dollars, for stationery furnished volunteers at the capital during the months of April and May, one thousand eight hundred and sixty-one, the proper vouchers therefor to be produced, and said amounts to be settled and adjusted in the usual way.

SECTION 65. That for six thousand copies of the railroad map prepared by P. W. Sheaffer, a copy of which is now in the hands of the auditor general, the sum of twenty-five cents each, or so much thereof as may be necessary; said maps, when completed, to be delivered to the auditor general and to accompany his railroad report.

SECTION 66. That for the payment of Mrs. Eliza Shick, widow, the sum of one hundred and twenty dollars, for the cooking and baking of rations, and furnishing meals to regiments of discharged Pennsylvania volunteers, on the expiration of the three months' term of service, in July, Anno Domini one thousand eight hundred and sixty-one, detained at Harrisburg waiting to be paid, for an average time of about ten days.

SECTION 67. That the following be added to the bill as section sixty-seven, relative to the pay of the expenses of the several investigating committees: For L. J. Crans, clerk to the committee to investigate the alleged frauds in the election of United States Senator, at the present session, the sum of two hundred and ninety-eight dollars and twenty cents; for Jacob Paul, assistant sergeant-at-arms of the House of Representatives, for services in this case, ninety-five dollars and fifty-four cents; for Benjamin F. Kelly, sergeant-at-arms of the House of Representatives, for services in this case, twenty-six dollars and eighty-two cents; for witness fees and mileage of witnesses in this case, the sum of one hundred and sixty-one dollars and ninety-seven cents; for Charles G. Williams, clerk to the committee to investigate the alleged frauds in the election of state treasurer, at the present session, the sum of two hundred and eighty-eight dollars; for Richard M'Curney, clerk to the committee to investigate the alleged frauds in the conduct of the United States Annuity, Life and Trust Company, the sum of two hundred and fifteen dollars and forty cents; for Samuel Carson, deputy sergeant-at-arms of the House of Representatives, for services in this case, eighty-three dollars and thirty-three cents; for witness fees, and mileage of witnesses, and expenses in this case, two hundred and thirty-six dollars and twenty-five cents; for Louis Blanche, clerk to the committee to investigate the charges against George Bergner, postmaster at Harrisburg, the sum of fifty-three dollars and ten cents; for Jacob Paul, assistant sergeant-at-arms of the House of Representatives, for services in this case, six dollars and sixteen cents; for witness fees and mileage of witnesses, in this case, twenty-seven dollars and nine cents; for L. A. Tylor, clerk to the committee to investigate certain charges, made in the Senate, against the Dela-

Theodore F. Schaffer.

Wm. D. Jack & Co.

P. W. Sheaffer.

Mrs. Eliza Shick

Expenses of investigating committees.
L. J. Crans.

Jacob Paul.

Benjamin F. Kelly.

Witness fees and mileage.

Charles G. Williams.

Richard M'Curney.

Samuel Carson.

Witness fees and mileage.

Louis Blanche.

Jacob Paul.

Fees and mileage of witnesses

L. A. Tylor.

ware and Hudson Canal Company, the sum of fifty dollars; the sums, herein appropriated to the payment of the expenses of the several investigating committees, shall be paid to the several persons entitled thereto, on certificates of the chairmen of the respective committees.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 366.

An Act

Extending the provisions of the act of twenty-first March, Anno Domini one thousand eight hundred and sixty-two, relating to the duties of County Commissioners of the county of Huntingdon, when acting as a board of revision, to the county of Blair.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two, relating to the duties of county commissioners in the county of Huntingdon, when acting as a board of revision, be and the same are hereby extended to the county of Blair.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 367.

An Act

Supplementary to an act regulating the fees for Prothonotary, in certain cases, in the city and county of Philadelphia, passed the first day of April, Anno Domini one thousand eight hundred and thirty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the prothonotary of the county of Berks shall be entitled to receive the fees as provided in the sixth section of the act, passed the first day of April, Anno Domini one thousand eight hundred and thirty-seven, to which this is a supplement.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 368.

An Act

Relating to the Jefferson and Ebensburg Plank Road.

WHEREAS, The Jefferson and Ebensburg plank road has been abandoned, and no tolls collected thereon, for more than one year past: Preamble.

And whereas, The said road has become unfit for travel, there being no means to keep it in repair:

And whereas, It is necessary and important to the inhabitants residing along, and in the vicinity of, the said road, that it be kept in a condition to be traveled; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the supervisors of each township, through which the Jefferson and Ebensburg plank road may

Supervisors to take charge of, and put in repair, the road.

pass, and they are hereby empowered, forthwith, to take charge of, and put in good order and repair, such part of said road as may be in their respective townships, and, from time to time, maintain, and keep in order, all such parts of said road, in the same manner, as if the same were a county road, and, in case of a failure to do so, shall be liable to all the provisions of law, which relate to county roads.

To be considered a county road.

Company may resume control, by payment of all expenses for repair, &c. Supervisors to keep accounts.

Limitation as to right to resume possession.

SECTION 2. That said Jefferson and Ebensburg plank road shall be considered a county road, free of all tolls; and should the Jefferson and Ebensburg Plank Road Company, hereafter, claim the right to resume the control of said road, the said company shall first pay to the supervisors of said townships, for the use of each of said townships, all such sums of money, and for all labor, by each expended, in keeping their respective parts of such roads in repair and good order; and each of said supervisors shall keep an accurate account, in a book for that purpose, of all such expenditures, in money and labor, and at the expiration of their respective terms of office, deliver the same to their respective successors in office: *Provided*, That the right of said company to resume the possession, and control, of said road, shall be forfeited, unless said right to resume is claimed within three years from the passage of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 369.

An Act

Relating to proceedings in equity.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the several courts of common pleas of Pennsylvania to take and exercise jurisdiction, in equity, by bill, or otherwise, according to the course of practice in said courts, in all cases arising under the general plank road law, and its supplements, of this commonwealth; and it shall be the duty of said court to exercise such jurisdiction, in all cases where the plaintiff, or complainant, shall make oath, or

affirmation, that his remedy, at law, is inadequate; and either party to such proceedings, in equity, may take a writ of error, or appeal, to the supreme court, in any district, in which the same shall then be sitting.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 370.

An Act

To adjust the fees of certain Commissions in Bedford county.

WHEREAS, Samuel H. Tate, late prothonotary, register and recorder, and clerk of the courts in, and for, said county of Bedford, died, before the expiration of the term of his several offices, having paid, in full, to the commonwealth, all the fees upon his several commissions; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, state treasurer, and the proper accounting officers of this commonwealth, be and they are hereby authorized, and directed, to settle with such person, or persons, as the governor may have appointed, or may hereafter appoint, to fill the unexpired terms of the said several offices of prothonotary, register, recorder, and clerk of the several courts of Bedford county, lately filled by Samuel H. Tate, the several fees required from him, or them, for the respective commissions, in proportion to the time to be occupied by such person, or persons, and to accept, and receive, from such person, or persons, such parts, or proportions, of fees, for said commissions, as the time, so to be occupied, shall bear to a full term of three years.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 371.

An Act

Relating to certain township officers in Elk county.

Repeal of provisions preventing election of township treasurers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fifty-third section of an act, approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, as prevents the several townships of Elk county electing township treasurers, in accordance with the provisions of an act, approved the fifteenth day of April, Anno Domini one thousand eight hundred and thirty-four, be and the same is hereby repealed.

Pay of supervisors of Fox and Jay townships.

SECTION 2. That hereafter the per diem allowance to, and pay of, the supervisors of highways, in Fox and Jay townships, in Elk county, shall be one dollar and fifty cents.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 372.

An Act

Supplementary to an act to reduce the capital stock of the American Fire Insurance Company, approved the sixteenth day of February, one thousand eight hundred and forty-seven.

Capital stock may be increased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the American Fire Insurance Company be and they are hereby authorized, by a majority of votes, at a meeting held for that purpose, called upon thirty days' notice, in at least two daily newspapers, published in the city of Philadelphia, to empower, and direct, the board of directors to in-

crease the capital of the said company, either at one, or at several and successive times, by the issue of new stock, the par value of which shall not exceed five hundred thousand dollars; and each share of said aggregate capital shall be represented by a certificate of one hundred dollars: *Provided always*, That the said stockholders shall, at said meeting, first accept the provisions of this act, by a majority of votes then present, in person, or by attorney, duly constituted and appointed. Limitation.
Proviso.

SECTION 2. That the said company shall be required to pay Tax to State of one-half per centum on the par value of the capital stock, which may be issued under the provisions hereof. Tax to State o
stock issued.

SECTION 3. That section ten of the original act of incorporation shall be so amended, that the "first Monday in April and the first Monday in October," shall read "the second Monday" in the respective months, as aforesaid. Change of time.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 373.

An Act

To incorporate the borough of New Wilmington, in Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the village of New Wilmington, in the county of Lawrence, and the territory adjacent thereto, comprised within the following boundaries, to wit: beginning at a stone on bank of a ditch, on line between lands of G. C. Vincent and A. P. Moore; thence north eighty-nine degrees, west one hundred and sixty-eight perches, to a stone, on the west line of lands of J. A. M'Laughry; thence north two degrees, west two hundred and ninety-six perches, to the line dividing Mercer and Lawrence counties; thence along said line one hundred and sixty-eight perches; thence south two degrees, east two hundred and ninety-six, to the place of beginning, be and the same is hereby created into a borough, to be called the borough of New Wilmington; and shall enjoy all the rights, powers and privileges, and be subject to all the limitations of the general laws of this com- Boundaries.
Incorporation.
Subject to.

To remain an election district, as heretofore, in New Wilmington township. School district. monwealth regulating boroughs: *Provided*, That the territory, hereby embraced within the limits of the said borough, shall be and remain in New Wilmington township, Lawrence county, as heretofore, as an election district, for the election of state and county officers, and in the New Wilmington school district, in said county, for school purposes, the same, in every respect, as if this act had not been passed.

Place and mode of holding elections. SECTION 2. That the elections, under this act, shall be held at the school house, in the said borough, and shall be regulated, controlled and governed, by the laws of this commonwealth regulating boroughs, except as is otherwise provided by this act.

First election, officers of. SECTION 3. That the first election, under this act, shall be held on the first Friday in May next, by a judge and two inspectors, to be chosen by the qualified electors who may be present at the opening of said election; and the inspectors, so chosen, shall each appoint one clerk of said election; and at said election there shall be elected one person for burgess, five persons for members of town council, one person for high constable, two persons for justices of the peace, one person for constable, one person for judge, and two persons for inspectors of the borough elections, one person for assessor, two persons for overseers of the poor, and three persons for borough auditors, one to serve for one year, one for two years, and one for three years; and the subsequent elections, in said borough, shall be held on the third Friday in March, in each and every year, between the hours of nine o'clock, A. M., and seven o'clock, P. M.; and the terms of the said officers, and the mode and manner of conducting the said elections, shall be in accordance with existing laws: *Provided*, That nothing in this act contained shall be construed to deprive any officer, now elected for the township of Wilmington, residing in the said borough, from exercising the duties of his office until the third Friday of March, one thousand eight hundred and sixty-four.

Borough officers to be elected. Time of holding borough elections. Present officers to continue until election in 1864. SECTION 4. That the burgess and town council of the said borough shall have power to levy and collect taxes in the said borough, for borough purposes, and expend the same, in accordance with the general laws of this commonwealth regulating boroughs: *Provided*, That the said burgess and town council shall not have the power to assess, upon any lands outside of the village proper, and within the limits of the said borough, which shall be used for pasture, or farming land, a greater amount of taxes than shall be assessed in the adjoining township of New Wilmington, for township purposes.

Burgess and council authorized to levy and collect taxes. *Proviso*.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 374.

An Act

To incorporate the Inland Telegraph Company.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

That David Wills, Joel B. Danner, Henry J. Stahle, George **Corporators.**

Arnold and R. G. M'Creary, of the borough of Gettysburg; George C. Penniman, A. W. Eichelberger and Henry Wirt, of the borough of Hanover; William M'Clellan, J. Allison Eyster and George W. Brewer, of Chambersburg; William P. Schell, and Alexander King, of Bedford; and William M. Hersch, of Pittsburg; Michael A. Sanners, of Somerset, and their associates, and such other persons as may become stockholders in the company called the Inland Telegraph Company, their successors and assigns, shall be and they are hereby made, and constituted, a body politic and corporate, for the purpose of

making, using and maintaining, telegraphic lines, and communication, from a point of connection with the wires of the American Telegraph Company, at Hanover Junction, in York county, on the Northern Central railway, through the boroughs of Hanover, Gettysburg, Chambersburg, Bedford and Somerset, to the city of Pittsburg, and the other intermediate towns and villages, and from Pittsburg west, to the Ohio state line, by the

Location of lines

name, style and title of the Inland Telegraph Company; and Title.

by the same name, style and title, shall have perpetual succession, and all the privileges and immunities belonging to a corporation; may sue and be sued, plead and be impleaded, complain and defend, in the courts of law and equity, may purchase, receive, have, hold and enjoy, to them, their successors and assigns, such lands, tenements and hereditaments, goods and chattels, and all estate, real, personal and mixed, as may be necessary for the purposes of the company; and the same, from time to time, may sell, convey, mortgage, or dispose of; to make

Privileges.

dividends of such portions of their profits as they may deem proper; and also may make, and have, a common seal, and the same may alter and renew, at pleasure; and also, to ordain, establish and put in execution, such by-laws, or ordinances and regulations, as shall appear necessary and convenient, for the government of said corporation, hereby created, not being contrary to the constitution and laws of the United States and this commonwealth, and generally may do all, and singular, the matters and things, which to them shall lawfully appertain to do, for the well being of the said corporation, and the due management, and ordering, of the affairs and business of the same:

Dividends.**Seal.**

Provided, That nothing herein contained shall be so construed as to give said corporation banking privileges, or any other privileges, than such as may be necessary, or belong, to the making, using, or maintaining, the said telegraph lines, and the connections it may form for the advancement of its interests.

By-laws.**Prohibition.**

No. 375.

An Act

Relating to the Monumental Building and Loan Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the rights, privileges and franchises, conferred upon the Monumental Building, Loan and Saving Association, by their charter, from the court of common pleas of Philadelphia county, are hereby ratified and confirmed, and, in addition thereto, the said association shall have perpetual succession, and the right to issue stock, to the number of twenty-five hundred shares, and the authority to receive money, on deposit, from others than stockholders; said deposits not to exceed, in the aggregate, the actual amount of cash capital paid on said shares; and all stock heretofore issued, by said association, and all loans made on the same, and all securities taken to secure the payment of said loans on said stock, are hereby ratified, confirmed and legalized, and to have, and be received and taken with, the same force and legal effect as if the said association had the legal right, and authority, to issue the said stock, make the said loans, and take the said securities, when the same were issued, made and taken.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act relating to the Monumental Building and Loan Association," was presented to the governor on the nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three, and was not returned within ten days; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

J. ZIEGLER,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 11, 1863.

No. 376.

An Act

In relation to Road Taxes, in Coganhouse township, in the county of Lycoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the tenth section of the act of assembly, entitled "An Act regulating certain election districts; relating to Saint Andrew's church, in the city of Pittsburg; to certain bridges in Lebanon county, and to road taxes in Lycoming county," passed April second, eighteen hundred and fifty-two, and an act of assembly, entitled "A supplement to the act incorporating the Larry's Creek Plank Road Company; authorizing the commissioners of Lycoming county to settle with A. H. M'Henry and Robert Farris, for certain services; supplement to an act to quiet the title to certain lands granted for the use of William Smith, in tail general, and relative to the Bear Creek and Lehigh Plank Road Company," passed the nineteenth of April, one thousand eight hundred and fifty-three, be and the same are hereby repealed, so far as the said acts relate to road taxes on unseated lands in Coganhouse township, in the county of Lycoming.

Repeal of acts relative to road taxes on unseated lands.

SECTION 2. That the treasurer of the county of Lycoming is hereby authorized, and required, to pay over, to the supervisors of the said township of Coganhouse, all the money, heretofore, paid into the treasury of Lycoming county, for road taxes on the unseated lands in said township, except so much thereof as has been, heretofore, paid over, and appropriated, by the commissioners of said county, under the provisions of the acts of assembly, referred to in the first section of this act; and the commissioners of said county are hereby required to transfer, to the supervisors of the said township of Coganhouse, their just proportion of any stock in the Larry's Creek Plank Road Company, for which they may have, heretofore, subscribed, and paid for, out of the road taxes of said township: *Provided however,* That before the payment of the money aforesaid to the supervisors of the said township of Coganhouse, they shall give a bond, to the township of Coganhouse, for the amount so to be drawn, by them, with surety, to be approved by a judge of the court of common pleas of said county, conditioned for the faithful appropriation of the money aforesaid, for road purposes, in said township, and for the payment of any balance in their hands, at the expiration of their term of office, to their successors in office; which bond shall be filed with the trea-

County treasurer to pay over to supervisors such taxes not already appropriated.

Commissioners to transfer to supervisors their proportion of stock in Larry's Creek plank road. Supervisors to give bond.

suror of said county, for the use of the said township of Coganshous.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 377.

An Act

To pay for auditing the accounts of John M. Coleman, County Treasurer of the city of Philadelphia, for the years one thousand eight hundred and fifty-four and fifty-five.

WHEREAS, During the year one thousand eight hundred and fifty-six, John N. Henderson did, by, and under, the authority of the auditor general, audit the state accounts of John M. Coleman, then county treasurer of the county of Philadelphia, for the years one thousand eight hundred and fifty-four and one thousand eight hundred and fifty-five, and the said John N. Henderson has never received any compensation; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby directed to pay, to the said John N. Henderson, the sum of eight hundred dollars, out of any moneys in the treasury not otherwise appropriated: *Provided,* That the said claim has not been already paid.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 378.

An Act

To continue in force the warrants to Irvin Rutledge, a collector of taxes for the several wards of the borough of Johnstown, Cambria county.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the warrants issued to Irvin Rutledge, of the borough of Johnstown, in the county of Cambria, for the collection of the county, poor, state and military taxes for the several wards of the said borough of Johnstown, dated the eleventh day of June, Anno Domini one thousand eight hundred and sixty-one, be and the same are hereby continued in full force and virtue for the space of one year from, and after, the passage of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 379.

An Act

To extend the time for the payment of the enrolment tax on an act to incorporate the Girard Cemetery, in the county of Erie, approved March twenty-ninth, one thousand eight hundred and sixty-one, and to legalize the acts of the managers of said company.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same That the time for the payment of the enrolment tax on an act to incorporate the Girard cemetery, in the county of Erie, approved March twenty-ninth, one thousand eight hundred and sixty-one, be and the same is hereby extended until July first, one thousand eight hundred and sixty-three; and all the contracts, acts and proceedings of the persons heretofore elected;

and now, or heretofore, acting as managers of said company, are hereby legalized and made valid, with like force and effect, as is the enrolment tax had been paid on said act within the time prescribed by law.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 390.

An Act

For the protection of a certain side walk in the township of Maxatawny, in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be a misdemeanor for any person, or persons, to ride, drive, or haul, on, or along, a certain side walk, beginning at the limit of the borough of Kutztown, in Maxatawny township, Berks county, to Fairview cemetery, and terminating at Fairview seminary, ten feet wide, made along the side, or on the bounds, of a certain public road, in said township, where it is evident such side, or foot, walk, by being laid off, graded, or otherwise improved, is intended only for foot passengers, except riding, driving, or hauling, across said foot walk, going on, to, or off from, adjoining property; and upon the oath, or affirmation, of any landholder of said township, or borough, before any justice of the peace in said county, that such misdemeanor has, by any person, or persons, been committed, he shall issue a warrant for such person, or persons, committing such misdemeanor, and the justice of the peace is hereby empowered to impose a fine, not less than five, nor more than ten, dollars, and costs of suit, for each and every such offender, for each and every such offence, or misdemeanor, committed; which fine the justice of the peace shall pay over to the supervisors of said township, to be used towards the improvement of the public roads; and such offender

shall stand committed until fine and costs of suit are paid, unless discharged by the commissioners of said county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 381.

An Act

Allowing the appointment of additional notaries public in Crawford and Erie counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That in addition to those now provided for by law, the governor be authorized to appoint a notary public for Crawford county, who shall reside in Titusville, in said county; and also, three additional notaries public for the county of Erie, one to reside at Erie, one at Union Mills, and one at Corry, in said county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 382.

A Further Supplement

To an act to incorporate the Selinsgrove Bridge Company, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the payment of the enrolment tax, by the Selinsgrove Bridge Company, be and the same is hereby extended for the period of two years from the passage of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 383.

An Act

Extending the provisions of the act of March sixth, Anno Domini one thousand eight hundred and forty-nine, in regard to floating lumber, to oil and oil barrels, upon the Allegheny, Monongahela and Ohio rivers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the first and second sections of an act, entitled "An Act to regulate the taking up of lumber, and flat-boats, in the Ohio, Allegheny and Monongahela rivers, and their tributaries," approved the sixth day of March, Anno Domini one thousand eight hundred and forty-nine, be and the same is hereby extended to empty barrels, intended to hold oil, or to any barrels containing oil, afloat upon the said rivers, and their tributaries; and that the amount, which any person, or persons, shall be en-

titled to receive, for taking up, and securing, each empty barrel, shall be eight cents, and for each barrel filled with oil, sixteen cents.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 384.

An Act

To prohibit the use of deleterious drugs, in the manufacture and sale of intoxicating, malt, or alcoholic liquors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That from ninety days after the passage of this act, it shall be unlawful for any person, or persons, to make use of any active poison, or other deleterious drugs, in any quantity, or quantities, in the manufacture, or preparation, by process of rectifying, or otherwise, of any intoxicating, malt, or alcoholic liquors, or for any person, or persons, to knowingly sell such poisoned, or drugged liquors, in any quantity, or quantities; and any person, or persons, so offending, shall be deemed guilty of a misdemeanor.

The use of deleterious drugs in the manufacture of liquors, or the sale of the same, to be deemed a misdemeanor.

SECTION 2. That it shall be the duty of any person, or persons, engaged in the manufacture, and sale, of intoxicating, malt, or alcoholic liquors, or in rectifying, or preparing, the same, in any way, to brand, on each barrel, cask, or other vessel, containing the same, the name, or names, of the person, or persons, manufacturing, rectifying, or preparing, the same, and also, these words, "containing no deleterious drugs, or added poison;" and shall, also, certify the same fact, or facts, to the purchaser, over his, her, or their, own proper signature.

Manufacturers, rectifiers and venders required to brand barrels with names, &c.

SECTION 3. That if any barrel, cask, or other vessel, containing any such drugged, or poisoned, liquor, shall be found in the possession of any person, or persons, designated in sections one and two, it shall be deemed *prima facie* evidence of a violation of the provisions of this act.

Possession of drugged liquor to be evidence of violation of this act.

SECTION 4. That any suspected article, or specimen of intoxicating, malt, or alcoholic, liquor, shall be subjected to analysis, by some competent person to perform the same, under the direction of court.

Articles suspected may be analyzed by direction of court.

Justices of the peace or mayor may order an inspection.

rection of the court, before which the case is tried; and such analysis, duly certified, under oath, shall be deemed legal evidence in any court in this state: *Provided*, That upon any preliminary examination, before any justice of the peace, mayor, or other magistrate, or competent authority, for the purpose of binding over, such officer may order the inspection, aforesaid, to be made, and make such order as may be necessary to preserve the evidence of the offence until the trial of the offender.

Penalty.

SECTION 5. Any person, offending against any of the provisions of this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be sentenced to pay a fine, not exceeding five hundred dollars, and to undergo an imprisonment, not exceeding twelve months, or both, or either, in the discretion of the court.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE.

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 385.

An Act

To prevent the destruction of fish in Brandywine creek, in the counties of Chester and Delaware, and Chartiers creek, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Fishing in Brandywine creek, for a certain time, prohibited

That for ten years, from and after the passage of this act, it shall not be lawful for any person, or persons, to take, catch, or kill, fish of any kind, by means of seine, or seines, in the Brandywine creek, in the counties of Chester and Delaware, south of Brinton's bridge, in the aforesaid Chester county.

Penalty.

SECTION 2. That any person, or persons, violating the first section of this act, shall forfeit, and pay, the sum of twenty dollars for each offence, to be recovered before a justice of the peace, by an action of debt, in the name of this commonwealth, as debts are now by law recoverable; one-half for the use of the informer, who shall be a competent witness, and one-half to the overseers of the poor of the county where the offence is committed.

SECTION 3. That the provisions of this act be and they are hereby extended to Chartiers creek, in the county of Allegheny, from its mouth to the first dam on said creek. Provisions extended to portion of Chartiers creek.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 386.

An Act

Authorising the commissioners of Cumberland county to appropriate a certain sum of money for making a mountain road in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Cumberland are hereby authorized, and directed, to appropriate the sum of four hundred dollars, out of any money in the county treasury, of said county, not otherwise appropriated, for the purpose of aiding the township of Mifflin, in said county, in making a mountain road, recently laid out in said township, and confirmed by the court of quarter sessions, of said county, the twenty-third day of December, Anno Domini one thousand eight hundred and sixty-two.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 387.

An Act

Repealing a supplement to an act relating to roads and highways in West Lampeter township, Lancaster county.

WHEREAS, A large majority of the voters of West Lampeter township, Lancaster county, have petitioned for the repeal of a supplement to an act relating to roads and highways in West Lampeter township, Lancaster county, and are desirous that the general road laws of the commonwealth shall be in operation in their township, instead of the special law aforesaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "A supplement to an act relating to roads and highways in West Lampeter township, Lancaster county," passed the fifth day of April, Anno Domini one thousand eight hundred and sixty-two, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 388.

An Act

Providing for the levying and collecting a tax, in several townships in Northampton county, for the relief of subscribers, and others, to the volunteer bounty fund.

Preamble.

WHEREAS, The taxable inhabitants of the townships of Allen, East Allen, Lehigh, Moore, Lower Mount Bethel, Bethlehem, Upper Nazareth, and the boroughs of Bath and Nazareth, in the county of Northampton, have expended certain sums of money, in raising their quota of volunteers to serve in the army of the United States, under the call of the president for three hundred thousand militia:

And whereas, Justice requires that the burden of paying the same should be borne by all the taxable inhabitants alike: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the boards of supervisors of the hereinbefore named townships, and the councils of the hereinbefore named boroughs, are hereby authorized to impose a tax upon all the taxable inhabitants of the said hereinbefore mentioned townships and boroughs, and levy, and raise, the same, in the same manner, and upon the same basis of taxation, as the school tax is, by law, levied and raised, sufficient to raise a sum, in each before-named township and borough, not to exceed the sum subscribed, loaned, and otherwise expended, by the inhabitants of such townships and boroughs, for bounties to volunteers, to avoid, in part, or altogether, the recent draft of the militia in said several townships and boroughs; the cost of collecting, and disbursing to said volunteers, and the cost of assessing and collecting said tax, with such additional sum for abatements and exonerations, as near as the same can be ascertained; that the said tax shall be levied and collected during the year one thousand eight hundred and sixty-three; and that the board of supervisors, and town councils, shall have power to appoint a collector, in their several townships and boroughs, who shall receive, for his, or their, services, a sum not exceeding three per centum upon the whole amount collected, and who shall have all the power and authority to enforce the said collection, which, by law, is conferred upon the collectors of the state and county tax.

Supervisors and councils authorized to levy tax.

Collection of.

Compensation and powers of collector.

SECTION 2. That in levying the said tax, the sum of one dollar shall, first, be imposed upon every taxable inhabitant in the said townships and boroughs, excepting widows, and persons who shall have been, or are now, in actual service of the United States army.

One dollar to be first imposed upon taxables.

Exceptions.

SECTION 3. That the boards of supervisors of the hereinbefore named townships, and the town councils of the hereinbefore named boroughs, shall carry into effect the provisions of this act, and give, to the treasurers of the respective townships and boroughs, for which they act, bonds, in amounts equal to twice the sum proposed to be raised, conditioned for the faithful performance of their duties; and should there remain a balance of money in their hands, after the purpose, herein provided for, shall have been fully carried out, they shall pay the same over to the treasurer of the school boards of their respective townships and boroughs, and settle their accounts with the township, or borough, auditors: *Provided*, That the provisions of this act shall not apply to the townships of Moore and Lehigh, and Lower Mount Bethel, until ratified by a majority of the qualified voters of said townships, at an election, to be held on the twenty-eighth day of April, one thousand eight hundred and sixty-three, at the usual places of holding the elections in said townships; said elections to be held by the regular election officers, and the tickets, or ballots, to be cast, at that time, shall be printed, or written, on the outside, "volunteer bounty tax," and on the inside, "for volunteer bounty tax," and, "against volunteer bounty tax," so as to afford the

Supervisors and councils to give bonds.

Balance to be paid over to school boards.

This act not to apply to certain townships until ratified by a majority of voters.

Constable to
give notice of
election.

qualified voters of said township an opportunity to express their desire on this question: *Provided*, That the constables of the townships, named in the third section of this act, shall give ten days' previous notice of this election, by ten, or more, printed, or written, handbills, put up at the most public places in said township.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 389.

An Act

Authorizing the trustees of the Methodist Episcopal Church of New Cumberland, Cumberland county, to execute and deliver a deed for a house and lot of ground unto one Valentine Feeman, and ratifying and confirming the title thereto in him.

WHEREAS, The title to a certain lot of ground in the borough of New Cumberland, Cumberland county, marked, on the general plan of said town, fifty-eight, bounded by Market street, by lot number fifty-seven, and by two alleys, and on which was, subsequently, erected a house of worship, because legally vested in the original trustees of the Methodist Episcopal church of said place, and their successors forever, in trust, for the uses of said society; and the said trustees, in contemplation of the erection of a new church edifice in some other part of the town, some time in the year one thousand eight hundred and fifty-nine, sold said lot and building, at public sale, to Valentine Feeman, for the sum of one hundred and seventy-one dollars:

And whereas, A part only of said purchase money has been paid, the purchaser withholding the residue until said sale shall be confirmed by a special act of the legislature; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Owen James, Henry R. Mosser, Washington Kirk, Henry Bachman, Joseph Young, Rudolph Martin and John Balsey, the present trustees, be and they are hereby authorized to execute, and deliver, a deed, for the said house and lot of ground, unto the said Valentine Feeman, conveying the same to him in

fee simple, clear and discharged from the trusts mentioned in any deeds relative thereto; and that said balance of the purchase money, when paid, be applied, by the trustees, toward the liquidation of debts contracted in the erection of said new church.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 390.

An Act

To attach certain properties in Rose and Pine Creek townships, in Jefferson county, to the borough of Brookville, for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the lot of M. A. Calvin, containing about two and-a-half acres, the property of Jacob Hoffman, in the new survey of John Gallagher, as surveyed by J. J. Y. Thompson, and the lot known in plan of said survey as number thirty-three, containing about two-fifths of an acre, all in Rose township; as also, the lot of Mary A. Hastings, containing five and a quarter acres, in Pine Creek township, near to, or adjoining, the borough of Brookville, be and the same are hereby attached to the borough of Brookville, for school purposes.

Certain properties attached to Brookville for school purposes

SECTION 2. That all taxes now, or hereafter to be, assessed for school purposes, on the above named premises, shall be paid over to the treasurer of the school district of the borough of Brookville, for the use of the schools of said district.

School taxes to be paid to borough treasurer

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 391.

An Act

To revive and extend the charter of the Skippack and Salfordville Turnpike Road Company, in Montgomery county.

Act of incorporation and supplement thereto re-enacted.

Letters patent revived.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act incorporating the Skippack and Salfordville Turnpike Road Company, approved the twenty-third day of March, one thousand eight hundred and fifty-four, be and the same is hereby re-enacted; and that the said act, and the supplement thereto, approved the eleventh day of April, one thousand eight hundred and fifty-six, be in as full force, and virtue, as they were at the time of the original passage of the same; and that the said company shall have five years time, from the passage of this act, to complete their road.

SECTION 2. That the letters patent, or charter, granted by the governor of this commonwealth, dated the twenty-third day of May, one thousand eight hundred and fifty-five, by virtue of said act of incorporation, and by virtue of act of assembly, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies," and all authorized actions, and proceedings, had by the said company, by virtue, and in pursuance, of the same, are hereby declared to be revived, valid and in full force and virtue.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 392.

A Further Supplement

To the charter of the Allentown Iron Company, incorporated April twelfth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the land, authorized to be held by the Allentown Iron Company, by its charter of incorporation, and its several supplements, in the state of Pennsylvania, the said company is hereby authorized, empowered, and deemed capable, in law: *Provided,* A concurrent law shall be passed by the legislature of New Jersey; to receive, hold and take, in fee simple, lands, in the said state of New Jersey, not exceeding five hundred acres, and to lease, sell and mortgage, or otherwise dispose of, their interest in the same; and also, to lease other lands, and tenements, in said, last mentioned, state, and to sell, and otherwise dispose of, and convey, their interest in the same, as the said Allentown Iron Company may deem expedient.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 393.

An Act

Relative to the Bustleton and Somerton Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the managers of the Bustleton and Somerton Turnpike Road Company to place stones, necessary for the repairs of said road, on the sides thereof: *Provided,* That the same shall not be placed within twelve feet of centre of the road, or more than eighteen inches high. Stones for repairs may be placed on sides of road.

Votes.

SECTION 2. That at all elections for officers, after the passage of this act, each and every share of stock of said company shall entitle the holder, or holders, thereof, to one vote, with the privilege of voting by proxy.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN

No. 394.

An Act

To increase the pay of county auditors of Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of January, one thousand eight hundred and sixty-three, each of the county auditors, for Lawrence county, shall receive two dollars per day, for each and every day they may be necessarily engaged in auditing the accounts of the county offices of said county; and all acts, or parts of acts, inconsistent with this, are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 395.

An Act

Declaring Morgan's run, in Clearfield county, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, Morgan's run, in Clearfield county, from where it empties into Clearfield creek, up to where the road, leading from M'Clarren's farm to Clearfield creek, crosses the road at, or near, Powell's saw mill, be and the same is hereby declared to be a public highway, for the passage of lumber, rafts, boats, and other vessels; and it shall, and may, be lawful for the inhabitants, desirous of using the navigation of said creek, to remove all natural obstructions to said creek, or the bed, or chaninel, thereof.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 396.

An Act

To incorporate the Edgely Cemetery Company of Philadelphia.

WHEREAS, In order to remove the many objections, made by **Preamble.** the community, in reference to burying the dead in the populous parts of the city, as also, to lessen the expenses which necessarily attend on all interments of deceased persons:

And whereas, Several citizens of this commonwealth, hereinafter named, have associated for the purpose of establishing a cemetery, at Edgely Point, Twenty-First ward, city of Philadelphia, intending that the tract of land, known by that name, containing, in the whole, about forty-four acres, lying westwardly from Ridge avenue, and extending to the river Schuylkill, shall be used, only, for the purpose of interment, with convenient buildings, necessary for the establishment, and have desired that they, and their successors, may be incorporated for establishing such cemetery, with the necessary powers for that object:

And whereas, It is necessary to provide for the permanent protection of the cemetery, so that those who bury therein may be assured of continued safety, from molestation, to the remains of relatives, and friends, who have been committed to the earth, and of the decent preservation of the ground; therefore,

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Corporators.

That William B. Mann, Gustavus Lembert, Frederick C. Kroff, James W. Martien, Christian D. Frick, Julius C. Sterling, Rudolphus Stahl, and their successors, be and they are hereby made a body politic, and corporate, in law, under the name, style and title of the Edgely Cemetery Company of Philadelphia, and by that name shall be able and capable, in law, to have, and to use, a common seal, to sue and be sued, plead and be impleaded, and to do all such other things as are incident to a corporation.

Title.

Seal.

Managers, powers and duties of.

SECTION 2. That the first four persons, named above, shall be managers of the said Edgely Cemetery Company of Philadelphia, and shall have power to lay out, and ornament, the grounds; to remove, or alter, the old buildings, and erect new ones; to dispose of, and arrange, burial lots, and to make such by-laws, rules and regulations, relative to elections and duties of managers, and their successors, the appointment of suitable officers and agents, and their several duties and compensations, and to make such rules and regulations, from time to time, for the government of lot-holders, and visitors to the cemetery, as they may deem necessary: *Provided*, That the extent of said ground, to be appropriated under this act, shall in no case exceed sixty acres.

Limitation as to extent of ground.

Privileges of holding and selling land, relative to.

SECTION 3. That the said Edgely Cemetery Company of Philadelphia shall be able, and capable, in law, if it shall seem, to them, expedient, to purchase, and hold, the said land, and to sell, and dispose of, the same; and also, to have, and to hold, so much personal estate, and no more, as may be necessary for the purpose of this incorporation: *Provided*, That the land shall never be granted but for burial lots, and that the burial lots, so granted, shall be subject to the powers of this act: *And provided further*, That the said Edgely Cemetery Company of Philadelphia shall have full power to square their land with the owners of land adjacent thereto, and to make good, and sufficient, deeds of conveyance for the same; and shall be able, and capable, in law, to receive deeds of conveyance of the land, so taken in exchange; and the same shall be held, by the said cemetery company, for the purposes of this act.

Proviso.

Proviso.

Opening of streets or roads.

SECTION 4. That no streets, or roads, shall, hereafter, be opened through the lands of the said corporation, occupied as a burial ground, except by, and with, the consent of this corporation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 397.

An Act

To attach lands of Edward Osman, in Lower Mahantango school district, to Hegins school district, in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That that portion of the real estate of Edward Osman, now situate within the school district of Lower Mahantango, Schuylkill county, on which the said Edward Osman now resides, be and the same is hereby annexed to, and shall form a part of, Hegins school district, in said county of Schuylkill.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 398.

A Further Supplement

To the several acts incorporating the city of Erie, in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the mayor and councils of the city of Erie, in the county of Erie, are hereby authorized to provide, by an ordinance, for the pavement of the side-walks of all the streets in said city, which ordinance shall be published, and recorded, as is now provided by law; and when said ordinance shall be so recorded it shall, and may, be lawful for said councils to order, by resolution, the paving of the side-walks on any street, or streets, in said city, specifying, in said resolution, the kind of pavement that shall be made, and the manner in which the same shall be made, in all respects, and the time within which said pavement shall be commenced, and finished; and it shall be the duty of the

Mayor and councils to provide, by ordinance, for paving of side-walks.

Superintendent of repairs to give notice to owners or agents.

superintendent, or person having charge, of the repairs on streets, in said city, to give notice, in writing, to the owner, or owners, of any lot, or piece, of ground, in said city, fronting on said street, or streets, or to the agent of said owner, or owners, of the kind of pavement required, and the mode, and manner, of making the same, and the time, within which said pavement must be commenced, and finished; if the said owner, or owners, or agent, resides in the city of Erie, not less than ten days before the time fixed, in said resolution, for the commencement of said work, and if not so resident in the city of Erie, then said notice shall be given, by letter, post-paid, directed to the nearest known post office, to said owner, or owners, or agents; said letter to be deposited in the post office at Erie, not less than fifteen days before the time fixed, in said resolution, for the commencement of said work; and no further, or other, notice shall be required than as hereinbefore provided; any law, or ordinance, to the contrary notwithstanding; and if said owner, or owners, or agent, shall, after notice given as aforesaid, neglect, or refuse, to commence, within the time in said resolution mentioned, or having commenced the same, shall neglect, or refuse, to complete the same, within the time fixed, said owner, or owners, or agent, shall be liable to the penalties now prescribed by the ordinances of said city, for such neglect, or refusal, and it shall be lawful for said city, by its proper officers, or agent, to procure said pavement to be made, or finished, at the expense of said owner, or owners; and the cost, charges and expenses, of said work, shall be a lien upon the lots, or pieces of land, respectively fronting on said street, or streets, in front of which a pavement has been made, repaired, or finished, as aforesaid; which lien shall be filed against said lots, or pieces, of ground, respectively, and collected, as is now provided by law for filing and collecting fines for paving in said city; and if the said costs, charges and expenses, are not paid by said owner, or owners, or agent, within sixty days after said work is finished, ten per cent. shall be added to said costs, charges and expenses, and collected as part of the original costs: *Provided*, That no resolution of said councils shall compel the making of any sidewalk, after the fifteenth day of November, or before the fifteenth day of April, in any year.

Penalty for neglect or refusal to comply.

Cost of paving by city to be a lien upon land.

Ten per cent. added, if not paid within sixty days.

When pavements to be made.

City to be laid off in districts.

Erection of lamp posts, cost of, &c.

Proviso.

An appropriation for opening and deepening certain channel authorized.

SECTION 2. That the councils are hereby authorized, and empowered, to lay off the city in convenient districts, either by streets, or otherwise, and upon the petition of a majority of the owners of real estate, in any district, to erect lamp posts on the streets in such district, to light with gas the streets therein, and to maintain, and keep in good repair, said posts; the costs and expense of erecting such posts, and keeping them in repair, and of lighting the streets with gas, to be levied upon the real estate in such district, and collected in the same manner as county and state taxes are now by law collected: *Provided*, That in fixing the majority of the resident citizens in any such district, tenants in common, co-partners, or joint owners, of any real estate therein, shall be counted together as one owner.

SECTION 3. That the councils of said city are hereby authorized, and empowered, to appropriate the sum of five thousand dollars, or so much thereof as may be deemed necessary, when-

ever a sum equal to three times the amount, thus appropriated, has been raised by other parties, for the purpose of opening, and deepening, the channel at the eastern entrance to the harbor; and to issue the bonds of said city of Erie, to the amount of such appropriation, for payment of the same, in such sums, not less than fifty dollars, as they shall deem proper, with, or without, coupons attached, bearing interest at the rate of six per centum per annum, payable semi-annually, and the principal payable ten years after the date thereof; and the said councils are hereby authorized and empowered to assess, upon the real and personal property, trades, and occupations, in said city, a tax sufficient to pay said interest as the same accrues, and the principal at maturity, and to collect the same as city taxes are now by law collected; said tax, when collected, to be applied to the purposes aforesaid, and to no other purpose, and paid proportionately with the subscriptions by other parties: *Provided*, That bonds shall not be sold at less than the par value thereof: *And provided further*, That the money appropriated, as aforesaid, shall be expended under the direction of a committee, to be appointed by the council.

Bonds to be issued.

Tax therefor to be levied.

Collection.

Proviso.

Proviso.

SECTION 4. That the councils of said city shall have power to levy, and collect, an additional tax of two mills on each dollar of valuation, for general purposes, in the same manner that the five mills tax, for said purposes, is now levied and collected.

Additional tax, for general purposes, authorized.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 399.

An Act

To authorize the sale of the Warrior's Mark Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon any writ of *fieri facias*, issued, or which may issue, out of the court of common pleas of Huntingdon county, against the Warrior's Mark Water Company, it shall be lawful for the sheriff of said county to levy upon all the real estate, rights, privileges, franchises, property and immunities, which belong to, or are held by, or can be owned, or held by said company, under,

and by virtue of, the act of assembly incorporating the same; and, after such levy, to lay the same before a jury of inquest, in the same manner as levies, upon real estate, are now laid before it; and if said jury shall condemn the same, by deciding that the rents, and profits, of said company, and its estate, will not pay the debt, interest and costs, of all judgments against said corporation, within seven years, a writ of *venditioni exponas* may, thereupon, issue, and all such real estate, rights, privileges, franchises, property and immunities, may, and shall, be sold, in like manner as real estate is now sold by the sheriff; and the purchaser, at such sale, shall hold said property, and be vested with all the rights, franchises and stock of such corporation, as if such purchaser had been the original subscriber of all the stock thereof, and may proceed with the organization of such corporation, in the manner provided by the act of assembly, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act concerning the sale of railroads, canals, turnpikes, bridges and plank roads."

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 400-

A Supplement

To an act, entitled "An Act to establish the Union School District of Chester and Delaware counties."

WHEREAS, By an act, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, a separate school district was erected out of contiguous territory, in the counties of Chester and Delaware:

And whereas, The said district is so constructed that part of the farm of Samuel J. Sharpless, in the county of Chester, is in the said Union district, and part thereof in the Thornbury school district, and the nearest school house, in said Union school district, is at a very inconvenient distance from said farm, whilst the nearest school house in Thornbury district, is very convenient thereto:

And whereas, By reason of the said Union district being in two different counties, the court has no power to change the lines thereof; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all the farm of the said Samuel J. Sharpless, situate in the townships of West-town and Thornbury, in the county of Chester, shall be in the school district composed of Thornbury township, Chester county; and so much of any law as includes said farm, or any part thereof, in said Union school district, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 401.

An Act

To authorize the Road Commissioners of Mill Creek township, Erie county, to set apart a portion of the streets, and roads, in said township, for side walks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this act, the road commissioners of Mill Creek township, Erie county, shall have power, and authority, to lay out, and set apart, on each side of any public street, or road, in said township, a side-walk, for foot passengers, of such width, not exceeding ten feet, on any road, not more than fifty feet wide, as said commissioners shall deem necessary for said purpose; and when said side-walk is so laid out, and set apart, by said commissioners, it shall not be lawful for any person, or persons, to ride, or drive, any animal, or animals, vehicle, or vehicles, over, or on, any part of said street, or road, so laid out, and set apart, as aforesaid, under the penalty of five dollars, for each and every offence; to be sued for, and recovered, as debts of like amount are now, by law, recoverable; said fines, when recovered, to be expended in the making, and repair, of said walks, in said township, laid out, as aforesaid; and the path-masters in the several districts in said township, in which said side-walks are laid out, and set apart, are hereby required to maintain, and keep in repair, said side-

walks, in same manner as roads, in said rural districts, are now maintained and kept in repair.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 402.

An Act

Relating to certain officers in the county of Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, passed the second day of July, one thousand eight hundred and thirty-nine, entitled "An Act to provide for the election of prothonotaries, clerks, registers and recorders," are hereby so altered, that, hereafter, the qualified electors of the county of Lehigh, shall, from and after the expiration of the term of the present incumbents, elect one person to fill the office of clerk of the court of quarter sessions, and one person to fill the office of clerk of the orphans' court for said county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Dmoini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 403.

An Act

Repealing an act regulating printing in Snyder county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act regulating printing in Snyder county," approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-two, be and the same is hereby repealed.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 404.

A Further Supplement

To an act to incorporate the Pennsylvania and Lehigh Zinc Company, approved May second, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lehigh Zinc Company shall be able, and capable, in law, and they are hereby authorized to take, acquire and hold, stock and loans in other incorporated companies: *Provided,* That the aggregate value of such stock and loans, at the time of the taking, or acquisition, thereof, shall not exceed five hundred thousand dollars.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 405.

A Supplement

To an act incorporating the borough of Reimersburg, in the county of Clarion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the lines of the borough of Reimersburg, in said county, be and they are hereby so changed as to exclude the grave yard of the Associate congregation of Cherry Run church, and the lot of ground belonging to John Boils, from said borough limits, and include the said grave yard, and lot of John Boils, within the township of Toby, from which they were taken.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 406.

An Act

Extending the provisions of the act for the protection of sheep, and taxing of dogs, in the county of Blair, approved the twentieth of May, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of the act, approved the twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven, entitled "An Act for the protection of sheep; and taxing of dogs,

in the county of Blair," be and the same is hereby extended, in all its provisions, to the county of Monroe.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 407.

An Act

For the relief of James Wheeling, a soldier of the war of one thousand eight hundred and twelve and fourteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized, and required, to pay to James Wheeling, a soldier of one thousand eight hundred and twelve and fourteen, of Lackawaxen township, county of Pike, or to his order, a gratuity of forty dollars.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 408.

An Act

Supplementary to an act revising the charter of the municipal corporation of the city of Reading, passed March thirteenth, one thousand eight hundred and sixty-one, and the several supplements thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Collection of
school taxes by
treasurer of dis-
trict.

That hereafter, upon the duplicate, or duplicates, of school taxes having been made out by the board of controllers of the Reading school district, the same shall be placed in the possession of the treasurer of the said school district, who shall collect, and receive, said taxes, at a place to be provided by said board of controllers; and from any taxes that are paid to him, on, or before, the first day of August, in the year for which they shall be assessed, the treasurer shall make a deduction of five per centum in favor of such person, or persons, so paying their taxes; and all taxes collected, and received, by said treasurer, from, and after, the first day of August, till on, or before, the first day of September, in the year for which they shall be assessed, the said treasurer shall make no deduction upon any taxes paid to him; and in case the taxes are not all paid, on, or before, the first day of October, in the year for which they are assessed, the board of controllers shall elect, or appoint, a collector, or collectors, and place the said duplicate, or duplicates, in his, or their, possession; and said collector, or collectors, shall proceed to collect the taxes therein levied, with an addition of ten per centum upon the taxes so levied, in the manner now provided, by law, for the collection of taxes.

Deduction al-
lowed.

When collectors
to be appointed.

Addition of ten
per cent.

Repeal.

SECTION 2. That so much of the act, to which this is a supplement, and the several supplements passed thereto, as is hereby altered, or supplied, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 409.

An Act

To extend the time for the payment of the enrolment tax on the Allegheny City and Freeport Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the payment of the enrolment tax, on the Allegheny City and Freeport Railroad Company, be and the same is hereby extended for the period of one year, from the passage of this act; and said payment, when made, shall have the same effect, in law, as if the same had been paid within the time prescribed by act of assembly, at the time of the passage of said bill.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 410.

An Act

To incorporate the Harleysville and Souder's Turnpike Road Company, in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Souder, Jesse Y. Heckler, Doctor Keeler, Jacob Commissioners. H. Landes, Jacob Kline, Jacob Sloop, S. D. Hunsberger, Jacob L. Moyer, John R. Detwiler, Tobias Reiff, Doctor H. G. Groff, Samuel Leidy, Jacob S. Swartly, Thomas Leidy, John Freed, senior, Jonas Leidy, John Swartly, Benjamin S. Alderfer, Jonathan Barndt, Leidy Worman, John Alderfer, Abraham Heckler, John Y. Eisenbry, Daniel Umstead, Abraham Reiff and Wm. Souder, of Montgomery county, or any five of them, are hereby appointed commissioners, to open books, receive subscription to

Style. stock, and organize a company, by the name, style and title of the Harleysville and Souder's Turnpike Road Company, with power, and authority, to construct a turnpike road, commencing at the Sumneytown turnpike road at, or near, Harleysville, in Montgomery county, and extending thence by way of Souder's station, on the North Pennsylvania railroad, to the Springhouse and Hilltown turnpike road, at the intersection of the public road, on the line dividing the counties of Bucks and Montgomery, with said turnpike road, subject to all the provisions, and restrictions, of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as the same is herein otherwise provided for.

When tolls may be charged. SECTION 2. That the said company are hereby authorized to charge, collect, and receive the same amount, and description, of tolls, on their said road, as are allowed, by law, to be charged by the said Springhouse and Hilltown Turnpike Road Company; and when the said company shall have completed their said turnpike road, from the said Sumneytown turnpike road to Souder's station, on the North Pennsylvania railroad, the same proceedings shall be had thereon, as if they had completed five miles of their said road, and they shall have full power to charge, and receive, tolls on the same.

Capital stock. SECTION 3. That the capital stock of said company shall consist of four hundred shares, of twenty-five dollars each; and if they shall not commence the construction of their said road within four years of the passage of this act, and complete the same within three years thereafter, from the Sumneytown road to Souder's station, the same shall be null and void, and if finished within that time, from the Sumneytown turnpike road to Souder's station, and not finished thence to the Springhouse and Hilltown turnpike road, within eight years of the passage of this act, then the authority to construct their road, from Souder's station to the Springhouse and Hilltown turnpike road, shall be null and void, except, in either event, to settle up, and pay, the debts of the company.

When road to be commenced and completed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 411.

An Act

To incorporate the German Roman Catholic Literary Institute of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Anthony Grunder, P. Ma Corbon, Frederick Horstman, Henry B. Rolling, Bernard H. Hulseman, Henry U. Sommer, Francis H. Schultz, Bernard Uphoff, Herrman Suter, Bernard Spelbrink, William Uphoff, Clements Berrichter, John M. Schimp, Martin Thomas, Theodore S. Campen, William Adam, William Poot, A. H. Nieland, John Horstman and Frederick Guttoff, and all other persons who shall hereafter become members, as corporators, agreeably to law, and their successors, be and they are hereby created, and declared, a body politic and corporate, in law, under the name, style and title of the German Roman Catholic Literary Institute of Philadelphia, and by that name shall have perpetual succession, shall be capable, in law, to purchase, hold, possess, use and enjoy, real estate, and erect suitable buildings for accomplishing the objects of said corporation, as hereinafter stated; to have a common seal, to plead, and be impleaded, in any court of law, or equity, to make by-laws, rules, ordinances and regulations for the good government of said corporation: *Provided,* The same shall not be repugnant to, or inconsistent with, the constitution and laws of the United States, or of the constitution and laws of the commonwealth of Pennsylvania.

SECTION 2. The object and design of said corporation shall be for the establishment of a high school, or academy, where the German, French, English and other languages shall be thoroughly taught by competent instructors, and, in connection therewith, to have a library and reading room, where the German and English Catholic youths, and Catholics, generally, resident in Philadelphia, may have an opportunity of obtaining instruction in the languages and the sciences generally, also, in morals, and which institution shall be supported by monthly contributions from its members and corporators.

SECTION 3. That the said corporators shall, on the second Monday in May next, and on the second Monday in May, annually thereafter, elect, from the members comprising said corporation, twelve managers, four of whom to serve for one year, four for two years, and four of them to serve for three years, and annually elect four managers to serve for three; the twelve managers, so elected, to serve until their successors are duly elected, who shall conduct and manage the affairs of said corporation; and the said twelve managers, so elected, shall, within ten days after their election, from their number elect one president, one vice president, and a treasurer, to serve for one year;

they shall have power to appoint a secretary, also, all other officers which may be deemed necessary, or required, under the by-laws, rules and regulations which may be adopted by said corporation.

Authorized to
issue certificates
of indebtedness.

SECTION 4. That to enable said corporation to obtain sufficient funds to erect the necessary buildings, and provide for the organization of said institute, said corporation shall have power to issue certificates of indebtedness, in sums of not less than twenty-five dollars, bearing an interest not exceeding six per centum per annum, in such form, payable at such time, or times, as shall be provided under the by-laws of said corporation; which certificates of indebtedness shall be a lien on the real estate purchased, or held, by said corporation.

Notice of elec-
tions.

SECTION 5. That the said corporation shall, after the first election for officers, provide, by their by-laws, what notice shall be given of the annual election thereof, always stipulating at least ten days' public notice.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 412.

An Act

To prevent the destruction of young timber in Butler township, Adams county, by setting snares for rabbits.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall not be lawful for any person, or persons, in the township of Butler, in the county of Adams, to set snares, made of young timber, for the purpose of catching rabbits, under a penalty of five dollars, to be recovered before any magistrate in the township where the offence was committed; one-half of the penalty for the use of the informer, and the other half to be paid over to the treasurer of the school fund.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 413.

An Act

To incorporate the Oil City and Petroleum Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John H. Coleman, H. M. Hamilton, Jacob J. Vandegreft, William Ewing, Wm. L. Lay, S. P. M'Calmont, C. W. Gilfillen, W. L. Breckenridge, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, under the name, style and title of the Oil City and Petroleum Bridge Company, for the purpose of erecting a bridge across the Allegheny river, at, or near, Oil City, in the county of Venango.

Commissioners.

Name.

Location of bridge.

SECTION 2. That the capital stock of said company shall be ten thousand dollars, to be divided into four hundred shares, of twenty-five dollars each, with power to increase the said capital stock, and number of shares, to an amount sufficient for the erection of said bridge.

Capital stock.

SECTION 3. That said company shall be organized under, and subject to all the provisions, and restrictions of, an act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

Subject to.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 414.

An Act

To amend an act to incorporate the Sonora Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to incorporate the Sonora Im-

provement Company," approved March sixteenth, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby amended, by striking out the word, "New," where it occurs before the word "Mexico," in said act, the same having been inserted, by mistake, in transcribing said bill.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 415.

An Act

To incorporate the Castle Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Commissioners.

That Monroe Buckman, George Brunner, John Walker, John Scott, John Garner, F. W. Bigany, Walter W. Patterson, W. T. Rogers, Samuel Shutt, Henry Weisell, Jesse W. Sherer, James Reed, Nathan C. James, Doctor Oliver P. James, Chas. Ratzell and Nathan P. Brower, or any seven of them, be and are hereby appointed commissioners to open books, receive subscription, and organize a company by the name and style of the Castle Valley Turnpike Road Company, to construct a turnpike road, commencing at, or near, Pleasantville, in Bucks county, by way of Stuckert's corner, Castle Valley bridge, and terminating at, or near, Doylestown, on the bed of the State road, with the privilege of changing so much of the road as now laid out, and used, as may be deemed necessary, to shorten, and improve, by a change of location of any part thereof, subject to all the privileges, and restrictions, of an act, entitled "An Act regulating turnpike and plank road companies," approved January twenty-sixth, one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered, and supplied, with the privilege of connecting with the present turnpike, at a point in Bucks, or Montgomery county, passing through Pleasantville.

Name.

Route.

Subject to.

May connect road at certain point.

Authorised to borrow money and issue bonds.

SECTION 2. That the said company shall have power to borrow money, at any rate, not exceeding six per centum per annum, for the purpose of completing their road, and issuing bonds

therefor, and secure the same by mortgage of their road and franchises.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 416

An Act

To change the boundary line between the townships of Adams and Cranberry, in the county of Butler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the boundary line between the townships of Adams and Cranberry, in the county of Butler, from and after the passage of this act, shall be as follows: commencing at the point on the line dividing the counties of Allegheny and Butler, at the point where the line, dividing the farms of William Nesbit and Samuel Marshall, intersects said county line; thence north seven degrees, west ninety perches; thence north fifty-five degrees, east fifty perches; thence by the line at present dividing said townships, to the point where said line intersects the line dividing the townships of Jackson and Forward, in said county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 417.

An Act

To repeal an act for the better preservation of game, so far as the same relates to the county of Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act, passed the twenty-first of April, Anno Domini one thousand eight hundred and fifty-eight, as prevents the killing, and destroying, or carrying away, of rabbits, pheasants, woodcock and partridges, be and the same is hereby repealed, so far as the same relates to the county of Indiana.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 418.

An Act

To incorporate the Young Men's Christian Association of Erie, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Incorporation. That the members of the Young Men's Christian Association of Erie, and such other persons as may, hereafter, become members of the same, shall be, and are hereby declared to be, a body politic and corporate, by the name, style and title of the

Title. Young Men's Christian Association of Erie, Pennsylvania, and, by that name, to have perpetual succession, and power to take,

Privileges. hold and dispose of, for the use of the said Young Men's Christian Association, any, and all kinds of, property, real estate, goods, chattels, or sums of money, by gift, grant, bargain, sale, devise, bequest, or otherwise, from any person, or persons, capable of

making the same, and the same to grant, bargain, sell, and a good conveyance make to the purchaser, or purchasers, thereof; to sue and be sued, contract and be contracted with, have, and use, a common seal, and to alter, destroy and renew the same, at pleasure, and to enjoy all other powers incident to such corporations in general. Seal.

SECTION 2. That such officers, as said corporation may deem necessary, shall be chosen from the members, by ballot, when, and in such manner, as its rules and by-laws may direct: *Provided*, That no person shall be eligible to office therein, other than a male member, in good standing, of an evangelical church, that recognizes, in its doctrines, the divinity of Jesus Christ, the Lord and Saviour of mankind, and a future state of eternal reward and punishment; such member being, at least, eighteen, and not more than forty-five, years of age. Election and qualifications of officers.

SECTION 3. That members entitled to vote, at election of officers, shall have power to make all needful rules and regulations to govern and promote the objects of said association: *Provided*, That no act, rule, or by-law, of said corporation, shall be valid, if inconsistent with this act, the constitution, or laws, of this state, or of the United States. By-laws and regulations. Proviso.

SECTION 4. That the objects, officers and rules, of said association, shall remain, as heretofore, until changed, superseded, &c. or abrogated, by the corporation. Objects, officers, &c.

SECTION 5. That the property of said corporation shall be exempt from taxation, except for state purposes. Property exempt from taxation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 419.

An Act

Declaring portions of Coal run and Beaver run, in Clearfield county, public highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, the following portions of the streams, herein mentioned, in Decatur township, Clearfield county, are hereby declared to be a public highway;

that is to say, the Beaver Dam branch of the Moshannon creek, from its mouth to where Coal run empties into said Beaver Dam branch, and said Coal run, from its mouth to Daniel Albert's saw-mill, and Beaver run, from its mouth to the mill now owned by John L. Cuttle.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 420.

An Act

To incorporate the Nazareth Hall boarding school, at Nazareth, Pennsylvania.

Preamble.

WHEREAS, The church of the United Brethren (commonly called Moravians) has established, and maintained, a boarding school, for boys, at Nazareth, Northampton county, since the year one thousand seven hundred and eighty-five :

And whereas, It is deemed by the authorities of said church to be advisable and necessary, for the more convenient management of the concerns of said school, to have said school incorporated; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Right Reverend John Christian Jacobson, Bishop, and the Reverend Francis Florentine Hagen, and the Reverend Sylvester Wolle, all of the borough of Bethlehem, duly elected, by the synod of the Northern district of the American Province of the United Brethren, a board of direction of the ecclesiastical affairs of said church, in said district, and likewise constituted, by virtue of their office, the board of trustees of said boarding school, and such other persons as may be hereafter appointed their associates, or successors, according to the rules and regulations of said branch of the church of the United Brethren, be and they are hereby constituted a body corporate and politic, in fact and in law, by the name and style of Nazareth Hall boarding school, and by that name, shall be capable of perpetual succession, may sue and be sued, may have, and use, a common seal, and alter and change the same at pleasure, and shall also be capable to ac-

Name.

Privileges.

cept and take, by devise, grant, bargain, sale, or otherwise, any estate, or property, real, or personal, and the same to hold and enjoy, or to sell, and convey, lease, or mortgage, as fully and absolutely, in all respects, as any natural person might do: *Provided however*, That the clear annual income of the estates ^{Income.} and properties of said corporation, exclusive of any lands, or tenements, that may be occupied by said school for its accommodation, or that of its officers, or professors, and exclusive of income from students, shall not exceed the sum of ten thousand dollars.

SECTION 2. That the trustees and overseers, already appointed, ^{Powers and du} or who shall hereafter be appointed, in accordance with the fun- ^{ties of trustees.} damental statutes, which govern the church of the United Brethren aforesaid, shall have the care and management of said school, and of its estates and properties, and shall have power to make all needful by-laws and regulations, for the appointment of competent professors and teachers, for the fixing and payment of all salaries, for the fixing of prices of the board and tuition of students, for the studies and exercises of the students, and for the general well-being of said school: *Provided*, That the said ^{Proviso.} statutes, by-laws, and regulations, shall not be inconsistent with the constitution and laws of this commonwealth, or of the United States.

SECTION 3. That no misnomer, or misdirection, of the said ^{Misnomer.} corporation, in any will, deed, grant, or other instrument of writing, shall vitiate, or defeat, the same, but that the same shall take effect in the same manner as if said corporation were rightly named therein: *Provided*, It is sufficiently described ^{Proviso.} to ascertain the intention of the parties.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 421.

An Act

To create the Cochranville school district, out of parts of West Fallowfield and Highland townships, in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

School district established. That from and after the passage of this act, the parts of West Fallowfield and Highland townships, in the county of Chester, embraced within, and to include, the farms of James Cloud, William Rutherford, Jesse J. Smith, Amos Strickland, senior, James H. Baldwin, the farm lately occupied by Enoch C. Gray, James Williams, Lorenzo Gibson, Robert N. Brown and Adam Ferree, in West Fallowfield township, and James Cochran, Amos Thompson and William A. Patrick, in Highland township, and all others within those bounds, which includes the village of Cochranville, shall be, and constitute, a school district, to be known as the Cochranville school district, and as such shall be subject to the several laws of this commonwealth relating to common schools.

Boundaries.

Subject to. SECTION 2. That the election for school directors, of the said Cochranville school district, shall be held at the time, and place, of the township election for the said township of West Fallowfield, and be conducted by the officers of said township election: *Provided*, That this section shall not apply to the election of the first board of directors, that are required to be elected under the provisions of the general school law.

Election of directors.

Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 422.

A Further Supplement

To the act incorporating the town of Newville, in Cumberland county, into a borough, approved the twenty-sixth February, one thousand eight hundred and seventeen.

Qualifications of voters for borough officers
Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of the borough of Newville, who are entitled to vote for members of the legislature, shall vote for borough officers for said borough: *Provided*, They have resided in said borough ten days immediately preceding said election, and paid a borough tax within two years, which shall have been levied, at least ten days before said election.

SECTION 2. That the president of the town council, of said President of
borough, is hereby authorized, and required, annually, to levy councils to levy
a tax upon all persons, who shall remove into said borough on, tax upon per-
or after, the first day of April, in each and every year, equal to sons moving in
the tax levied on other citizens of similar circumstances: *Pro- after the first
vided,* Said persons are not regularly taxed, and are omitted to of April.
be taxed for borough purposes; and the said president shall, *Proviso.*
eight days before the said election, return a list of said persons To return list of
so taxed, together with their respective taxes set opposite their such persons to
names, to the treasurer of said borough, who shall receive the treasurer.
tax, and give a receipt to each person paying their tax, which
shall entitle them to vote for borough officers: *Provided,*
That the said treasurers shall, within five days after the said elec- Treasurer to
tion, make out a list of all delinquents, who shall neglect, or give burgess
refuse, to pay their tax, and hand it over to the chief burgess list of delin-
of said borough, and he shall issue his warrant to collect the quents.
same, and direct it to the collector, or constable, of said borough, Collection.
to be collected as other taxes.

SECTION 3. All laws hereby altered, or supplied, be and the Repeal.
same are repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one
thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 423.

An Act

Authorizing the construction of a macadamized road on part of the Wash-
ington and Middletown road, in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Represen-
tatives of the Commonwealth of Pennsylvania in General Assem-
bly met, and it is hereby enacted by the authority of the same,*
That Willim Clark, William Wiley, David M'Clay, William Commissioners.
Cundall, James M'Bride, Aaron Miller and John Stewart, or a
majority of them, be and they are hereby appointed commis-
sioners, to open books, receive subscriptions, and organize a
company, by the name and style of the Washington and West Title.
Middletown Turnpike Company, with power to construct a mac-
adamized road from the borough of Washington, along the road Route.
leading to West Middletown, to a point opposite the house of
William Wiley; said pike to begin at the point where said West
Middletown road intersects the National road, in the borough

of Washington, and from thence along said road to the residence of said William Wiley, by the nearest and best route, either along the old road, or on such new route as the president and directors shall designate and lay out; subject to the provisions and restrictions, so far as the same are not, by the extent of the road, inapplicable, of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, except that the said company shall only have power to erect a single gate, on said road, at which, tolls may be collected, for all travel over said road, in such manner, and in such sums, as may be fixed by the president and directors, except that such tolls shall not exceed those fixed by the thirteenth section of said act, for travel on roads for five miles, and that in all other respects, except the distance traveled, the said tolls shall be subject to the said act.

Subject to.

Tolls.

Capital stock. SECTION 2. That the capital stock of the said company shall consist of twelve hundred shares, of twenty-five dollars each share: *Provided*, That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock, so much, as in their opinion, may be necessary to complete the said road, and improvements thereto belonging: *And provided further*, That, subject to the act of assembly aforesaid, being an act regulating turnpike and plank road companies, as aforesaid, said company shall have power, and are hereby authorized, to extend their said road toward West Middletown, at such times as they, by a meeting held for said purpose, may determine; and that said road, when so extended, shall, in all respects, be subject to the provisions of existing laws regulating turnpike road companies.

Extension of road authorized

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 424.

A Supplement

To the act incorporating the Clearfield Gas Company, passed twenty-fourth March, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That said company are hereby authorized to borrow money for the construction of said works, not exceeding twelve thousand dollars, at a rate of interest not exceeding ten per centum, for such term as shall be agreed upon between the parties, and to pledge the property, and corporate franchises, of said company, for its payment: *Provided*, That they shall issue no bonds for the same, for a less sum than twenty-five dollars.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 425.

An Act

Incorporating the United Presbyterian Board of Publication.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Reverend David R. Kerr, D. D., Reverend James Prestley, D. D., Reverend James Rodgers, D. D., Reverend John G. Brown, Reverend George C. Vincent, Charles Arbuthnot, James M'Candless, James Robb and William Stevenson, and their successors in office, be and they are hereby constituted, and created, a body politic and corporate, in deed and in law, by the name, style and title of the United Presbyterian Board of Publication, and by that name to have perpetual succession, to sue and be sued, plead and be impleaded, in all the courts of law and equity, or before any alderman, or justice of the peace, in all manner of suits, complaints, pleas, matters and demands, of whatever nature, or kind, the same may be; and to adopt, and use, a common seal, and the same to change at pleasure. *Seal.*

SECTION 2. That said corporation shall have power to take hold, receive and possess, goods, chattels, rights, credits, moneys and bequests, and use, sell, convert and dispose of the same, for the objects and purposes hereinafter set forth; all conveyances of real estate shall be made to the trustees of the general assembly of the United Presbyterian Church of North America, in trust, for said United Presbyterian Board of Publication: *Provided*, That the net annual income shall not exceed twenty thousand dollars. *Income.*

Objects.

SECTION 3. That the object of said corporation shall be two-fold; first to purchase, or print, and circulate, the Holy Scriptures, or parts of the Holy Scriptures, in the authorized version, together with the Psalms, in metre, according to the version, approved by the United Presbyterian church; second, to select, and publish, such tracts, papers, periodicals, and books, as shall be a sound and suitable religious literature for Sabbath schools, ministers, congregations, and the community at large, and to take such measures as may be necessary for the distribution, and circulation, of the same.

Bible fund created.

SECTION 4. That besides the general publication fund, said corporation shall keep a separate fund, to be known by the title of the Bible fund, and all donations, and bequests, made to that fund, shall be so credited, and applied to no other object than that specified in the first part of section third.

Subject to control of general assembly.
Reports to be made.

SECTION 5. That said board of publication shall be under, and subject to, the control of the general assembly of the United Presbyterian church; and it shall be their duty to report, annually, at the meeting of the said assembly, for their approval, the amount of donations, and bequests, made throughout the year to the Bible fund, as well as to the general publication fund, what amount has been expended in each of those departments, and how expended, the state of the treasury, stock on hand, and any other items of information, which it may be important for the assembly to know.

Organization.

SECTION 6. That the persons, herein designated as incorporators, shall, as soon as practicable, organize, and elect, a board of managers, not exceeding nine in number, who shall determine the manner of electing members and officers of the board, when the term of such members and officers shall expire, how vacancies of members and officers shall be filled, and the time of meeting, the number necessary to constitute a quorum, and make rules, regulations and by-laws necessary to carry out the objects herein set forth: *Provided*, That said rules, regulations and by-laws be not repugnant to the constitution and laws of this commonwealth, and the constitution and laws of the United States.

Election of officers.

By-laws.
Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 426.

An Act

To incorporate the York and Dover Turnpike and Plank Road Company, in York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Adam Herman, Samuel D. Rupert, William S. Picking, **Commissioners.**

William Lenhart, Charles Kling, Doctor John Ahl, Henry Wiest, John Nieman, George D. Beeler, John Myers, Peter Weist and Englehart Melchinger, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the York and Dover Turnpike and Plank Road **Style.**

Company, with power to construct a turnpike and plank road, or either, or partly turnpike and partly plank road, from the point where the public road, called the Carlisle road, intersects **Route.** the York and Gettysburg turnpike road, in Bottstown, in West Manchester township, in said county, to a point on said Carlisle road, where the same forks, about one-fourth of a mile above the town of Dover, on lands of P. Lenhart; subject to all the **Subject to.**

provisions and restrictions, and with all the powers and privileges, contained in an act, entitled "An Act regulating turnpike and plank road companies," approved January twenty-sixth, Anno Domini one thousand eight hundred and forty-nine: *Provided,* That said company shall have the right to make use of **May use portion** so much of the said Carlisle road, (and to locate their said road **tion of certain** upon it,) as they may deem advantageous for that purpose; and **road.** it shall be lawful for the court of quarter sessions, of said York county, to appoint viewers to view, and vacate, so much of **Viewers to be** said Carlisle road as shall be so used by said company, as is **appointed to** provided by the road laws of this commonwealth, in cases of public **vacate the part** roads in said York county, where the same have become useless, **of road used.** of road used. inconvenient and burdensome.

SECTION 2. That the capital stock of said company shall consist of four hundred and twenty-eight shares of stock, at fifty dollars per share: *Provided,* That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock so much, and to so many shares, as, in their opinion, may be necessary to complete the road, and carry out the true intent and meaning of this act. **Capital stock.**

SECTION 3. That it shall not be lawful for any person, or persons, residing at, or near, any of the toll-gates, which may be erected on said turnpike, or plank road, to enter the same on either side of such gate, and make use of the same, beyond the limits of his, her, or their, farms, without paying toll to said **Prohibition.** company, according to the rates of toll then existing; and if the said person, or persons, or any other person, shall so enter **Tolls.**

Penalty for violation of this section.

upon, and use, said turnpike, or plank road, or make use of any private road, or passage, to get round, or avoid, any such toll-gate, such person shall be liable, to said company, for the regular toll for the distance actually traveled on said road, to be recovered, as debts of like amount are recoverable, by law, and shall, also, be liable to a penalty of ten dollars for each and every such violation of this section, recoverable, with costs of suit, as penalties of like amount are now recoverable before any justice of the peace of the proper county, one-half of which shall be for the use of the informer, who is hereby declared to be a competent witness in the case, and the other half for the use of said company.

When road to be commenced and completed.

SECTION 4. That if said company shall not commence their said road within three years, and complete the same within six years, from the approval of this act, the same shall be null and void, excepting so far as it may be necessary to wind up, and settle, the affairs, and pay the debts, of said company.

May borrow money and mortgage property.

SECTION 5. That the president, and managers, of the said York and Dover Turnpike and Plank Road Company, shall have power and authority to borrow any sum, or sums, of money, not exceeding twenty thousand dollars, to enable them to discharge the debts incurred in the construction of their said road, and enjoy the full benefit of the privileges, conferred upon them by the act of assembly authorizing their incorporation, with power, also, to pledge and mortgage, as security for any such loan, or loans, their said road, and all, and any, of the property of their said company, real and personal, together with all their rights, powers, privileges and franchises.

Rates of toll.

SECTION 6. That the rates of toll, for any distance traveled on said York and Dover Turnpike and Plank Road, shall not be less than one cent, for one horse, ridden, or led; two cents, for one horse and wagon; three cents, for two horses and a wagon, and four cents, for four, or more, horses and a wagon; and the tolls, for other and greater distances, shall be such as are now provided by law.

JOHN GESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini on thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 427.

An Act

Supplementary to an act, entitled "An Act to incorporate the Clarion Turnpike and Bridge Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Clarion Turnpike and Bridge Company be and hereby are authorized to repair, and re-construct, all that part of the Susquehanna and Waterford turnpike road, in the counties of Clarion and Venango, lying east of the Allegheny river, and over that portion of said turnpike road, all, and singular, the corporate powers and privileges conferred upon, and granted to, the said Susquehanna and Waterford Turnpike Company, by the original act of incorporation, passed the twenty-second day of February, one thousand eight hundred and twelve, be and the same are hereby vested in the said Clarion Turnpike and Bridge Company, and subject to the same restrictions, except as hereinafter provided. Authorized to repair and re-construct portion of certain road.

SECTION 2. That in lieu of the tolls authorized heretofore, the said Clarion Turnpike and Bridge Company are hereby authorized to erect gates, and levy tolls, on all that part of said turnpike lying between the Allegheny river, at Franklin, and the western boundary of the borough of Brookville, not exceeding the sums specified in the following bill of rates: Rates of toll upon certain part of road.

For every score of sheep, per section of five miles, five cents; for every score of hogs, per section of five miles, five cents; for every score of cattle, per section of five miles, fifteen cents; for every horse, or mule, rode, or led, four cents; for every sulky, chair, chaise, or buggy, with one horse, six cents; for every coach, phaeton, coachee, stage, or light wagon, the body of which rests upon springs, with two horses and four wheels, twelve and a-half cents; for either of the carriages last mentioned, with four horses, twenty-five cents; for every other carriage of pleasure, under whatsoever name it may be known, the like sums, according to the number of wheels and horses drawing the same; for every sled, or sleigh, for each horse, mule, or ox, drawing the same, five cents; for every cart, or wagon, of burden, for each horse, mule, or ox, drawing the same, five cents: *Provided*, That at least two miles of any one section of five miles shall have been repaired, in conformity with the original charter, before the said company shall be authorized to erect gates, or levy tolls, thereon; and that so much of the act of incorporation, and its supplements, as are inconsistent herewith, be and the same are hereby repealed: *Provided*, That the court of quarter sessions of the county of Clarion shall have power, upon petition, and upon notice to the said company, to lower its said rates of toll, whenever, in their opinion, they shall

Privileges.

Subject to.

Rates of toll upon certain part of road.

Provided.

Repeal.

Court may reduce rates.

LAWS OF PENNSYLVANIA,

become oppressive, or burdensome, to persons using the said road.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 428.

A Supplement

To the charter of the Spring Garden Plank Road Company, in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the Spring Garden Plank Road Company, in the county of York, may increase the rates of toll on all wagons, et cetera, carrying over ninety hundred pounds, twenty cents per mule for every hundred pounds, so carried over the said plank road.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 429.

A Further Supplement

To an act supplementary to the acts relating to hawkers and pedlers, and regulating auctions in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be lawful for the manufacturers of agricultural tools and implements, stoves, hollow-ware, and wooden-ware, to peddle their own manufacture, or authorize agents to peddle the same for them: *Provided,* That the provisions of this act shall not extend to any portion of the state east of the Allegheny mountains, or to the county of Armstrong.

Manufacturers of certain articles authorized to peddle.

Not to extend to certain counties

SECTION 2. Any act, inconsistent herewith, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 430.

An Act

Supplementary to an act to authorize the governor to incorporate the Salem and Dyberry Turnpike Road Company; the Athens and Troy Turnpike Road Company; the Spring House and Sumneytown Turnpike Road Company; the Pittsburg Farmers' and Mechanics' Turnpike Road Company, and to revive the act, entitled "An Act to incorporate the Pittsburg and Beaver Turnpike Road Company," approved the sixteenth day of April, one thousand eight hundred and twenty-nine.

WHEREAS, The Pittsburg Farmers' and Mechanics' turn-pike road, in the county of Allegheny, has, for a number of

years, been in the hands of a sequestrator, for the purpose of paying a large indebtedness against said road:

And whereas, It is represented that the profits and tolls, received by said sequestrator, are not sufficient even to keep said road in common repair:

Therefore, for the purpose of putting the road in proper condition, the public good, and the benefit of all parties in interest; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Pittsburg Farmers' and Mechanics' turnpike company may increase capital and issue preferred stock.

That it shall, and may, be lawful for the president, managers and company, of the Pittsburg Farmers' and Mechanics' Turnpike Road Company, to make an extension, and an addition, of thirty thousand dollars, to their capital stock, and for such additional stock of thirty thousand dollars, when fully subscribed, and paid in, the said company, by its president, countersigned by the secretary of the board of managers, shall issue certificates of preferred stock therefor.

When sequestration to be abrogated and road delivered up.

SECTION 2. That immediately upon such preferred stock being subscribed, and one-fourth thereof paid in, the sequestration shall be abrogated, and the road delivered up to the president, managers and company aforesaid, who shall proceed forthwith to put the road in good order and repair.

Profits to be applied to payment of dividend on preferred stock.

SECTION 3. That, upon the first and second sections of this act being complied with, the tolls, profits and increase of said company, after payment of current expenses, and making and keeping the road in good repair, shall be applied, first, to the payment of a dividend, not exceeding ten per centum per annum, on each and every dollar of said preferred stock of thirty thousand dollars, and the remainder to the payment, *pro rata*, of the indebtedness now standing against said company; and whenever said indebtedness is thus fully paid and satisfied, then the remainder, so as aforesaid, to be applied to the payment of a dividend, not exceeding ten per centum per annum, on each and every dollar of the original stock: *Provided*, That whenever the indebtedness against said road is fully paid, and the tolls, profits and income, after payment of current expenses, et cetera, will equalize, to each and every dollar of stock, including the preferred stock, a dividend of ten per centum per annum, then the preference in stock, from thenceforth, shall cease and determine: *Provided*, That at all times hereafter, each and every stockholder, for each and every share of the preferred stock, held by him, her, or them, shall be entitled to one vote for all purposes in said company.

Payment of indebtedness and dividend on original stock.

When the preference in stock to cease.

Votes.

Opening of books.

SECTION 4. That books shall be opened by the president and managers of said company, on Monday, the fourth day of May, Anno Domini one thousand eight hundred and sixty-three, and kept open at the place, and in the manner and form indicated, by the original act, for the taking of said preferred stock.

Authorized to compromise with creditors.

SECTION 5. That it shall and may be lawful for the president and managers of said turnpike road company, to compromise with any of the existing creditors of the said road, and to issue such amount of preferred stock, in addition to the amount herein-

before provided for in the first section of this act, as may be necessary for that purpose.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 431.

An Act

To incorporate the Iron and Coal Bridge Company, in the county of Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That William H. Holstein, Daniel O. Hitner, Winfield S. Wilson, Daniel Yeakle, Henry Sechler, Mathias Walker, of Montgomery county; Charles E. Smith, Edward H. Weil, Henry K. Smith and John M'Innis, of the city of Philadelphia, be Commissioners.

and they are hereby created commissioners, to organize a bridge company, under the name and style of the Iron and Coal Bridge Company, in the county of Montgomery, with a capital of thirty thousand dollars, divided into shares of one hundred dollars each, with power to increase the capital stock, so far as may be necessary, for the purpose of constructing a bridge across the Schuylkill river, at any point between Stony creek and Magee's lime-kilns, on the banks of the said Schuylkill river, in said county of Montgomery; said company to be organized, managed and governed, as is provided by an act regulating bridge companies, passed the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five, with all the privileges and immunities, and subject to all the restrictions contained in said act; the said bridge shall be built in such manner as to accommodate railroad purposes, sufficiently strong for the safe, and expeditious, transportation of passengers, United States mails, coal, iron, lime, and other articles of merchandize generally; and the tracks, which may be laid upon the said bridge, shall be of the same gauge, or width, as, and may be connected with, the tracks of the Philadelphia and Reading Railroad Company, the Chester Valley Railroad Company, and the Philadelphia, Germantown and Norristown Railroad Company;

Name.

Capital.

Location of bridge.

Subject to.

Purposes.

Tracks to be laid, width and connections of.

Certain companies may subscribe.

Use of bridge.

and the said companies, or either of them, are hereby authorized, and empowered, to become subscribers to the capital stock of the said bridge company, authorized by this act.

SECTION 2. The said bridge, when constructed, shall be used exclusively for railroad purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 432.

An Act

Relating to taxes, levied for school purposes, in the Allegheny city school district, of the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Board of controllers, annually, to elect a receiver of taxes.

That immediately after the passage of this act, and annually thereafter, on the first Tuesday of February, in each and every year, the board of controllers of the Allegheny city school district, in the county of Allegheny, shall elect one person for receiver of taxes, who shall give bond, in such amount as shall be determined by the board, and with such surety, or sureties, therein, as shall be satisfactory to, and approved of by, the president of the board, and the finance committee.

Bond of.

Payment of taxes.

SECTION 2. That all taxes, lawfully levied by the controller of said district, for school purposes, and all taxes so levied by the directors of the several wards, in said district, for building purposes, payable in said district, shall be payable at the office of the receiver; and said receiver shall make allowance to all payers of taxes aforesaid, who shall pay the same in the year for which they are assessed, as follows, namely:

Five per centum, if paid on, or before, the first day of July.

Four per centum, if paid on, or before, the first day of August.

Two per centum, if paid on, or before, the first day of September.

If paid after the first day of September, and on, or before, the first day of October, no deduction shall be made.

Addition.

If paid after the first day of October, and on, or before, the first day of November, an addition of five per centum shall be added to, and payable on, the same.

SECTION 3. That if any of the said taxes shall remain unpaid in the said district, after the first day of November, the receiver shall issue his warrant, accompanied by a schedule of all unpaid taxes in each ward of said district, and the names of the persons, respectively, by whom the same are due, directed to one, or more, citizens of said school district, as may be appointed by the finance committee of said county, authorizing and requiring them to demand, and receive, from the persons named in the schedule, the sums therein charged against them, respectively, together with the five per centum in addition thereto, which shall be in full compensation to such collectors for the collection thereof; collectors, that may be so appointed, shall give bond, to be approved by the president of the board of controllers and the finance committee, with one, or more, sureties, for the faithful performance of their duties, and for the amounts so collected by them, and shall have all the powers conferred on collectors of school taxes by the thirty-first section of the act of eighth of May, one thousand eight hundred and fifty-four, entitled "An Act for the regulation, and continuation, of a system of education by common schools;" they shall return to the receiver, or treasurer, weekly, all moneys collected by them, and, in all cases, they shall make return of warrants in their hands, within three months from the date of issue.

Collection of taxes remaining unpaid after the first day of November.

Powers and duties of collectors.

SECTION 4. That from and after the passage of this act, all taxes, which may be lawfully imposed, or assessed, by the directors, or controllers, or by authority thereof, on any real estate in said district, by provisions of this, or any other, act of assembly, shall be liens on said real estate, together with all additions to, and charges on, said taxes; and said liens shall have priority over, and be fully paid and satisfied before, any other lien whatever, except other taxes on said real estate.

Taxes to be liens and to have priority.

SECTION 5. The receiver shall render, each and every day, or as often as required, to the chairman of the finance committee of the controllers of said district, an account, and shall pay over, monthly, to the treasurer of the district, the whole amount so received for school purposes, and will, at any time, upon the call of the president, or secretary, of any of the local boards, give information of the amount of building tax collected for the use of the local board they may represent, and will pay out such amount due, on the warrants signed by the president, and attested by the secretaries of said local boards; and shall, on the first day, or within the first week, of September, annually, give public notice, in such newspaper as is authorized to do the printing of the city of Allegheny, to all persons who shall have omitted to pay their taxes aforesaid, requiring said delinquents to pay the same on, or before, the first day of October next following after said day, and that, if the same be not paid on, or before, said first day of October, then five per cent. will be added to, and made payable thereon.

Duties of receiver.

Notice to delinquents.

SECTION 6. That in case any of the said collectors shall return to the said receiver, or treasurer, that any of said taxes cannot be collected for want of goods and chattels on which to levy, the said receiver, or treasurer, shall certify the same, in each case, to the solicitor of Allegheny city, whose duty it shall be to file said certificate in the office of the prothonotary of the

Receiver to certify to solicitor, when taxes cannot be collected for want of goods, &c.

Certificate to be filed in district court. district court of Allegheny county, (and said prothonotary shall enter the same on the judgment docket, as judgments are entered,) and a writ of *fiery facias* shall, forthwith, be issuable thereon, by virtue of which, the sheriff of Allegheny county shall levy upon, and sell, the real estate, upon which said taxes have been assessed, on, or before, return day, or within six days thereafter; which sale shall vest in the purchaser of said real estate, all the right, title and interest of the defendant in said writ, of, in, and to, said real estate so sold.

Sale of real estate.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTEN.

No. 433.

An Act

To incorporate the Inn-keepers' and Bottlers' Association of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Incorporation. That all and every person, or persons, who shall, at the time of the passage of this act, be members of the association hereby

Title. known by the name, style and title of the Inn-keepers' and Bottlers' Brewing Association, of the city of Philadelphia, Pennsylvania, shall and are hereby created, and declared to be, a

Powers and privileges. body politic and corporate; and shall be able to sue and be sued, plead and be impleaded, in all courts of record, or elsewhere; to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels, of whatever nature, or kind so ever, real, personal, or mixed, or choses in action, and same power to sell, transfer, or convey, grant, devise, alien, or dispose of: *Provided*, That the clear yearly value, or income, of the houses, lands, and tenements, rents, annuities, or other hereditaments, real, or personal, estate, shall not exceed, annually, ten thousand dollars; also to make, and have, a corporate seal, the same to break, renew, alter, or amend, at pleasure; and also to ordain, establish, and put into execution, such by-laws, ordinances and regulations, as shall appear necessary, and convenient, for the government of the said association, not con-

Income.

Seal.

By-laws.

trary to this charter, or the constitution of the United States, or of this commonwealth; and generally to do all, and singular, the things which, to them, it shall lawfully appertain to do, for the well-being of the said association, and the due management, and ordering, of the affairs thereof: *Provided*, That this act shall continue in force for ten years, from the passage thereof, and no longer, for the purposes aforesaid, and for the purpose of brewing malt, or fermented liquors; and the legislature reserves the right to alter, amend, or annul, this charter at any time hereafter. Limitation.
Reservation.

SECTION 2. That the association, agreeably to its by-laws, shall have a president, secretary, treasurer, brewer, and a business committee, the latter to consist of such number as the association may deem advisable, all of which officers shall be elected semi-annually, on the first Tuesday of May and November, in each year, or any such other officers as may be deemed advisable for the safety and good government of the association, or as may be required by the constitution and by-laws regulating the same. Officers.
Election of.

SECTION 3. That the capital stock of the association shall be divided into shares of twenty-five dollars each, and the number of shares sold and paid for shall at no time exceed three hundred, under this act. Capital stock.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 434.

An Act

To incorporate the American Tea Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. W. Quiggle, John M. Gummey, Samuel G. Thompson, L. A. Mackey, Charles A. Mayer, George Bull and George Omet Dise, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name, style and title of the American Tea Company, with power to sue and be sued, plead and be impleaded, in all courts of law and equity, and have all the franchises, rights and equity of a corporation. Corporators.
Name.
Privileges.

- Object.** SECTION 2. That the said company, hereby incorporated, has for its object the culture, manufacture and sale of tea, in any part of the United States, or elsewhere, and shall have a right to purchase, lease, or otherwise hold, any lands in the state of Pennsylvania, or elsewhere, which the said company may deem necessary for the business of the same, and to sell, lease, or or otherwise dispose of the same.
- Powers.**
- Capital stock.** SECTION 3. That the capital stock of the said company shall consist of two hundred thousand dollars, in shares of fifty dollars each, with the right to increase the same, from time to time, as the directors may direct.
- Organization.** SECTION 4. That the corporators above named, or a majority of them, shall meet in the city of Philadelphia, at such time, and place, as a majority thereof may designate, for the organization of the company; at which time, and place, a majority shall elect, from their number, a president, secretary and treasurer, with a board of directors, consisting of five of their number, to manage the said corporation; and an election shall be, thereafter, annually held, for such officers and directors, on the first Monday of February, in each year.
- Officers.**
- Election of.**
- Votes.** SECTION 5. That in such election of officers and directors, every stockholder shall be entitled to one vote for each share that he, or she, may hold in said company, and in giving said vote, they may vote by proxy, or in person.
- By-laws.** SECTION 6. That the said corporation shall have a right to make such by-laws, rules and regulations, as they may deem expedient and proper for the management of the company, not inconsistent with the constitution and laws of this commonwealth.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 435.

An Act

To amend the act relating to the Susquehanna River, North and West Branch, Atlantic, Ohio and Wilkesbarre Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said act, approved eighteenth March, one thousand eight hundred and sixty-one, be amended by adding the words, "American Telegraph Company," to the first section of said act.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No 436.

An Act

To incorporate the Greensburg and Mount Pleasant Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jesse Kilgore, Peter Rugh, Jeremiah Hammer, James C. Clark, Jacob Turney, Jacob J. Painter, James Borlin, Thomas J. Barclay, D. W. Shryock, Daniel Reamer, Israel Uncapher, George Robinson, Charles M'Causland, Daniel Shupe, Abram Overholt, John D. M'Caleb, J. B. Jordan and Israel Painter, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style and title of the Greensburg and Mount Pleasant Turnpike Road Company, with power to construct a turnpike road, from the borough of Greensburg, in Westmoreland county, by the most practicable route, to the borough of Mount Pleasant, in said county, subject to all the provisions, and restrictions, of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided*, That said company shall be authorized, and empowered, to erect a gate, and collect tolls, on said road, when two miles are completed; and the rates of toll for one mile shall not exceed one-third, and for two miles, shall not exceed one-half, the amount of tolls authorized to be charged, and collected, for five miles, by the thirteenth section of the said act regulating turnpike and plank road companies: *And provided further*, That the said company shall not be authorized to charge tolls, at the above rates, upon any portion of said road, except upon the first two miles, at each end of the said road: *And provided further*,

Commissioners.

Title.

Route.

Subject to.

When tolls may be collected.

Rates of.

Proviso.

- Proviso.** •That whenever five miles at each end, or at either end, are completed, then the rates of toll authorized by the said act, regulating turnpike and plank road companies, and no more, shall be charged, and collected, by said company.
- Capital took.** SECTION 2. That the capital stock of said company shall consist of two hundred shares, at fifty dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as, in their opinion, may be necessary to complete the road, and to carry out the true intent and meaning of this act.
- When road to be commenced and completed.** SECTION 3. That if said company shall not commence the construction of their road within three years, and complete the same within eight years, from the passage of this act, it shall be null and void, except so far as the same may be necessary to settle up the affairs of said company.
- May use bed of any other road.** SECTION 4. That the said company be and are hereby authorized to construct their road on the site, or bed, of any road now opened, where the same may be deemed necessary: *Provided*, That no road of an incorporated company shall be so appropriated.
- Proviso.**

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE.

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 437.

An Act

For the relief of George D. Boyer, late treasurer of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized, and required, to re-settle and adjust the final account of George D. Boyer, late treasurer of the county of Schuylkill, and to refund to said George D. Boyer, such sum, or sums, of money, as may be found due, and coming, to said George D. Boyer, if any such sum, or sums, of money shall be found due, and owing, to said George D. Boyer, by reason of over-payments, by him made, during his said term of office as

treasurer of Schuylkill county, as is alleged by said George D. Boyer.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 438.

A Supplement

To an act to incorporate the Sunbury Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to incorporate the Sunbury Bridge Company," approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty, and the rights, privileges and charter thereby granted, are hereby revived, and the time for commencing the erection of the bridge shall be extended until the expiration of five years from the passage of this supplement, and the time for the completion of the same shall be extended for eight years from the passage of this supplement, and the time for the payment of the enrolment tax, on the act of incorporation to which this is a supplement, be and the same is hereby extended for the period of three months.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 439.

An Act

Authorizing and requiring the supervisors of North Annville township, Lebanon county, to assess a tax sufficient to macadamize a certain road in said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the supervisors of North Annville township, in the county of Lebanon, are hereby authorized, and required, to assess, and collect, sufficient tax, the present year, to macadamize the public road, in said township, leading from the Berks and Dauphin turnpike road to the station of the Lebanon Valley railroad, in a width of eighteen feet and a depth of twelve inches.

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JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 440.
An Act

For the relief of the Westmoreland Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized to allow the Westmoreland Coal Company credit, in the next settlement of their accounts for taxes, for such sum of money as said company may have, after examination by them, paid into the state treasury, by mistake, in excess of their indebtedness to the commonwealth, notwithstanding a judgment may have been obtained against the said company, by the commonwealth, and been paid, in which was included the said sum so overcharged and paid by mistake: *Provided*, That the audi-

●

tor general and state treasurer shall be satisfied that such mistake, in paying, has been made.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 441.

An Act

Relating to the payment of bounties to volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all bonds, warrants, or certificates of indebtedness, issued by the commissioner or commissioners and controller of any county, or the proper corporate authorities of any township, city or borough of this commonwealth, for the payment of bounties to persons volunteering to enter the military service of the United States, under any requisition heretofore made by the President, be and the same are hereby legalized and made valid and binding upon such counties, townships, cities or boroughs, in the same manner, and with like effect, as if full legal authority had existed for the issuing and making of the same, when they were issued and made.

All warrants issued by county commissioners, or authorities of townships, boroughs or cities, for payment of bounties, legalized.

SECTION 2. That all payments of bounties to volunteers entering the service of the United States as aforesaid, by the corporate authorities of any county, township, city or borough of this commonwealth, and all loans made by said authorities for the purpose of making such payments, be and the same are hereby legalized and made valid.

Loans made for such payments legalized.

SECTION 3. That the corporate authorities aforesaid are hereby authorized and required to execute and complete all agreements and contracts heretofore made by such counties, townships, cities or boroughs, for the payment of bounties as aforesaid, or for refunding advancements made for that purpose, on condition that they should be refunded, according to the true intent and meaning of such agreements and contracts, and for that purpose, the said authorities are hereby authorized to borrow money and issue bonds in the name of such corporations, with or without interest coupons attached, payable at such times, and in such manner as may be agreed upon, and to levy such

Money may be borrowed and bonds issued, to execute agreements or contracts, heretofore made.

Taxes to be
levied therefor.

taxes as may be necessary to meet the payment of the principal and interest of said bonds, as the same shall become due, which taxes and levies shall be assessed and collected as other county or township taxes are levied and collected.

Assessments of
taxes made
valid.

SECTION 4. That all assessments heretofore made of taxes, for the purpose of paying bounties as aforesaid, be and the same are hereby legalized and made valid: *Provided*, That no private volunteer soldier, or non-commissioned officer, nor drafted militiaman, actually mustered into the service of the United States from this commonwealth, or were in service, have died in service, or have been honorably discharged therefrom, shall be required to pay any taxes now assessed, or hereafter to be assessed and levied, pursuant to the provisions of this act.

Exemptions.

Advancements
made, or ex-
penses incurred
in furnishing
provisions, re-
lief of families,
contributions to
associations, or
aid to sick and
wounded, legal-
ized.

SECTION 5. That all advancements made, or indebtedness incurred by the commissioners of any county of this commonwealth, for boarding or provisions furnished to volunteers or militia, when called into the service of the United States, and all expenses incurred in the relief of the families of such volunteers or militia, when in service aforesaid, and all contributions made by said commissioners to any benevolent associations, to aid them in furnishing with necessary clothing and equipments, and all the expenses incurred in providing for the wants of the sick and wounded, are hereby fully legalized and confirmed; the said commissioners are hereby fully authorized to borrow money for the payment of the same, and to issue bonds as heretofore provided: *Provided*, That all expenses incurred by the commissioners of Lancaster county, in furnishing volunteers or militia with suitable rooms for drill and discipline, and for the payment of the persons who had the care and charge of said rooms, are hereby fully legalized and confirmed; and the said commissioners are hereby fully authorized, if necessary, to borrow money for the payment of the same, in the same manner as they are authorized to borrow money for payments and advancements made and expenses incurred, et cetera, according to the provisions of this act.

Certain ex-
penses, incur-
red by commis-
sioners of Lan-
caster county,
confirmed.

Provisions for
relief of families
extended to
those of drafted
men.

SECTION 6. That all the provisions of the fourteenth section of "an act to create a loan and to provide for arming the state," passed the fifteenth day of May, one thousand eight hundred and sixty-one, which authorized the associate judges and county commissioners of the several counties of this commonwealth to constitute a board of relief, for the families of such volunteers as have been enrolled and mustered into service from their several counties, are hereby extended and applied to the families of men who have been drafted and mustered into the service of the United States, and all arrangements made by the several counties of this commonwealth for the support of the families, of volunteers, militia or drafted men, mustered into service, are hereby legalized and confirmed; the county commissioners are hereby and fully authorized to borrow money for the payment of such expenses, in the manner hereinbefore provided.

Commissioners
authorized to
borrow money.

Commissioners
of counties, in
which bounties
have not been
paid, may bor-
row money for
that purpose.

SECTION 7. That the commissioners of any and every county in this commonwealth, in which bounties have not been paid, are hereby authorized to borrow such sum or sums of money as may be sufficient to pay to each and every person, who volunteered from such county, and entered the service of the Uni-

ted States, after the twenty-sixth day of July, Anno Domini one thousand eight hundred and sixty-two, the sum of fifty dollars: *Provided however*, That in any county, in which the commissioners or parties, having charge of the subject of bounties to volunteers, offered a less sum than fifty dollars, and the volunteers entered the service in such county, with the understanding that such less sum was to be received, then, and in all such cases, no more than the sum so promised, shall be paid under the provisions of this section: *And provided further*, That it is the true intent and meaning of this act, to secure a bounty of fifty dollars to each and every volunteer mentioned in this section, which said bounty of fifty dollars to each and every such person is hereby authorized, except in such cases as are authorized and mentioned in the preceding proviso to this section, and excepting further, that in any county, in which the contract price for bounty was for a less sum than fifty dollars, and part of the volunteers from such county received and accepted such less sum, then and in all such cases, the commissioners of such county are authorized to make provision for all the other volunteers from such county, at the same rate and for no greater sum.

Proviso.

Proviso.

SECTION 8. That the money, so borrowed, shall be paid over to the treasurer of the proper county, who shall proceed to pay, to each person who volunteered from such county, the sum, to which such person shall be entitled under the provisions of this act: *Provided*, That no person shall be entitled to receive said sum, to which such person shall be entitled, under the provisions of this act, or any part thereof, who was not regularly mustered and sworn into the service of the United States, and remains in said service, or has been legally discharged therefrom.

Money borrowed to be paid over to, and disbursed by, treasurer.

Who entitled to receive.

SECTION 9. That in any case, where a part of the bounty authorized by this act has been paid by any county, township, city or borough, the difference between the sum so paid, and the full bounty, shall be collected and paid by such county, township, city or borough, in the manner herein provided.

In cases where part of bounty has been paid, the balance to be collected.

SECTION 10. That in any county, where persons have subscribed, and paid to the bounty fund of any county, township, city or borough, said county, township, city or borough shall refund or pay over to such persons, the amount so subscribed and paid: *Provided*, That such subscriptions were made with that agreement or upon such condition.

Money to be refunded to subscribers.

Proviso.

SECTION 11. That if any soldier, who would have been entitled to receive the said bounty, has died before having received the money, the proper county shall pay the same to such person or persons, as by the laws of the United States would be entitled to receive the bounty of deceased soldiers.

Payment of bounty of deceased soldiers.

SECTION 12. That the commissioners of the several counties of this commonwealth, and the corporate authorities of townships and boroughs, when the same may be necessary, are hereby authorized and required to levy, assess and collect tax, in addition to the taxes now levied, assessed and collected, sufficient to pay the bounties authorized to be paid by the provisions of this act, and to re-pay the money borrowed for the payment of the same: *Provided however*, That the commissioners

Assessment and collection of taxes.

Proviso.

of said counties, and the corporate authorities of said townships, cities and boroughs, shall so proceed in the premises as to allow to the people of each county, as much time for the payment of said taxes, as may, in their judgment, be least oppressive to them, not exceeding, however, in any case, the period of five years, for the payment of the whole debt and the interest thereon.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 442.

An Act

To authorize the Harmony Fire Company, of Philadelphia, to dispose of their right, title and interest in the Fire Association of said city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Harmony Fire Company, of Philadelphia, to sell and transfer their right of membership, and interest, in the corporation known as the Fire Association of Philadelphia, to the said Fire Association, if they desire to purchase the said interest: *Provided*, That the price of such interest, or purchase, shall not be less than the sum, or amount, now charged by said association, for admission of companies as members: *And provided further*, If the said association shall refuse to purchase the same, then the said Harmony Fire Company shall have the right to sell and transfer their said interest to any other fire company, which shall desire to become a purchaser, and the said Fire Association shall accept such company, so purchasing said interest, as a member, subject to all the regulations of said association; that the fire company purchasing shall have all the necessary apparatus and property, which is required, by the association, from companies desirous of becoming members.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 443.

An Act

In relation to the accounts of Allen M'Kean, late Prothonotary of Bradford county.

WHEREAS, It is alleged by Allen M'Kean that injustice has been done him, in the settlement of his accounts as late prothonotary, and clerk, of the courts of quarter sessions, and oyer and terminer, of Bradford county, by the auditor general and state treasurer: **Preamble.**

And whereas, The said Allen M'Kean has appealed from said settlement to the court of common pleas of Dauphin county, as provided by law, which appeal is yet pending:

And whereas, It is almost impossible to try said appeal in Dauphin county, with justice, either to the commonwealth, or the said Allen M'Kean, on account of the matters of fact connected with the records of the said courts of Bradford county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the court of common pleas of Bradford county shall, at its first sitting after the passage of this act, appoint three competent persons, residing in any adjoining county, or counties, to the county of Bradford, whose duty it shall be, after having been first duly sworn, or affirmed, to perform the duties of their appointment with fidelity, to proceed, within thirty days after their appointment, to examine the accounts, and dockets, of said Allen M'Kean, during the whole period of his service in the offices of prothonotary, and clerk, of the courts of quarter sessions, and oyer and terminer, and report to the auditor general the amount of the tax on judicial proceedings received by him, in each and every year, and also the amount of official fees received by him, as well as the amount thereof charged by him, in each year; also, the amount collected by him, since the close of his term of office; and they shall have power to send for persons and papers, and to examine witnesses, under oath, touching the objects of their inquiry. **Court of Bradford county to appoint auditors to examine accounts and dockets.**

SECTION 2. That on the receipt of said report, the auditor general and state treasurer shall settle the accounts of said Allen M'Kean, according to law; which account shall be in the place of the accounts, which have already been settled, and which are now pending, on appeal, in the courts of common pleas in Dauphin county; and the report of said auditors shall be final, and conclusive, as to the facts set forth therein, and an appeal may be taken to the court of common pleas, in Dauphin county, upon the question only of law, involved in the settlement of said accounts by the state officers. **To report to auditor general.**
May send for persons and papers, &c.
Auditor general and state treasurer to make settlement.
Report of auditors conclusive.
Appeal upon the question of law may be taken.

SECTION 3. That said auditors shall finish the examination of said accounts, and dockets, and report to the auditor general, **When report to be made.**

Compensation
of auditors.

on or before the first day of August next, and shall each be allowed three dollars per day, for each day actually employed in said service, not exceeding forty days each; the one-half thereof to be paid by warrant of the auditor general, on an account settled in the usual manner, and the other half by the said Allen M'Kean.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini on thousand eight hundred and sixty-three.

A. G. CURTIN.

No 444.

An Act

For the relief of Francis Watts, treasurer of Bradford county, and W. O. Black, treasurer of Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Francis Watts, treasurer of Bradford county, and W. O. Black, treasurer of Erie county, shall be entitled to, and receive, the same credits, and exonerations, by the auditor general, on settlement of their accounts for mercantile licenses for the year one thousand eight hundred and sixty-two, that they would have been entitled to before the passage of the act, entitled "An Act amendatory of the license laws of this state," approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 445.

An Act

To exempt the property of the Franklin Institute from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the hall of the Franklin Institute, of the state of Pennsylvania, for the promotion of the mechanic arts, and the lot of ground on which the same is erected, situate in the city of Philadelphia, be and the same are hereby exempted from taxation, for any purpose whatever, except for state taxes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 446.

An Act

To incorporate the Kutztown and Lyons Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Hoak, David Kemp, Jacob Richard, David Kutz, **Commissioners.** John Sell, Charles A. Kline, J. Daniel Wanner, Charles A. Geraah, M. D., Wm. Kemp, Daniel Zimmerman, Jacob Sinday, Egedius Butz, Henry Sanders, Charles Kutz, Charles H. Wanner, M. D., Charles W. Esser, Peter Krause, Nathan Bauer, Elijah DeTurk, Dewalt S. Kutz and Lewis K. Hottenstein, or any five of them, be and the same are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Kutztown and **Title.** Lyons Turnpike Road Company, to locate and construct a turnpike road, at any width, not exceeding forty feet, nor of artificial construction, less than fourteen feet, in, over, upon, or near, **Location.** the bed of the present road, commencing at the Fisher House,

- Subject to.** in the borough of Kutztown, and thence to the village of Lyon, with full power, however, to change the location of the same, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.
- Capital stock.** SECTION 2. That the capital stock of the said company shall consist of two hundred shares, at twenty-five dollars per share:
- Proviso.** *Provided*, That the said company may, from time to time, at a meeting of the stockholders, called for that purpose, increase their capital stock to such an amount, as, in their opinion, may be required to complete the road according to the true intent and meaning of this act.
- When tolls may be received.** SECTION 3. That said company may commence their road at any intermediate point, and whenever said company shall have finished one mile, or more, of said road, they shall have power to erect gates thereon, and the privilege of charging, and receiving, tolls, for the fractional part of a mile traveled, and not to be liable for the fractional part of a cent in making change:
- Proviso.** *Provided*, That said tolls be agreeably to the conditions and restrictions of section twelve and thirteen of the act of twenty-sixth January, one thousand eight hundred and forty-nine.
- When road to be commenced and completed.** SECTION 4. That if said company shall not commence the construction of the said road within two years, and finish the same within three years thereafter, this act shall be null and void, except so far as may be necessary to settle up the affairs, and pay the debts, of the company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 447.

A Supplement

To an act to incorporate the Safe Harbor and Susquehanna Turnpike Road Company, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That all the provisions of the sixth section of an act to incorporate the Safe Harbor and Susquehanna Turnpike Road Com-

pany, et cetera, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three, are hereby extended to, and shall embrace, the counties of Fulton and Franklin, for all the purposes mentioned in said section.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 448.

An Act

Relating to bonds and recognizances of bail in the court of quarter sessions, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all, and singular, the authority, jurisdiction and privileges, which are now by law vested in the court of quarter sessions of the peace of the city and county of Philadelphia, in so far as the same have relation to, and power over, all bonds and recognizance of bail, and the mode and manner of collecting the same, forfeited in the courts of oyer and terminer, and general jail delivery, and quarter sessions of the peace, in, and for, said city and county of Philadelphia, be and the same hereby are extended to the courts of quarter sessions of the peace, in, and for, the county of Allegheny.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 440.

An Act

To extend the time for the payment of the enrolment tax on the act to incorporate the New Hope Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time allowed for the payment of the enrolment tax, on the act to incorporate the New Hope Cemetery Company, be and the same is hereby extended for six months from the date of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 450.

A Supplement

To an act providing for the levying and collecting a tax in several townships of Northampton county, for the relief of subscribers, and others, to the volunteers bounty fund, approved March eighteenth, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in the event of any, or all, of the managers for the respective townships named in the act to which this is a supplement, refusing to act, or in the event of vacancies, by death, resignation, or otherwise, the court of common pleas of said county, or the judge thereof, in vacation, shall fill such vacancies, by the appointment of one, or more, citizens of the proper township, who shall be qualified, and give the same security as the original managers; and a majority of the managers, for each township, shall have power and authority to levy upon all the property, real, personal and mixed, and upon the salaries and

occupations of persons within their respective townships, which, by law, are liable to be taxed for school purposes, and in the same manner in which the school tax is levied, excepting the the exception contained in the second section of the said act, such an amount of money as shall be necessary for the purposes in the said act mentioned; and the said managers shall have all the authority, in themselves and their collector, to enforce the payment of the said tax, which boards of school directors have, by law, to enforce the payment of school tax; and the auditors of the respective townships shall allow the said managers, each, for necessary loss of time and actual expenses incurred, but no compensation for labor done in the performance of their duties.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 451.

An Act

To prevent cattle from running at large in Cheltenham township, Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the first day of May next, no cattle, or horses, shall be suffered to run at large, or upon the public roads, or highways, in the township of Cheltenham, in the county of Montgomery, under the penalty of two dollars for each offence. The running a large of cattle, horses, prohibited.

SECTION 2. That it shall be the duty of the constable, within said township, and he is hereby directed, and empowered, without any special warrant, or other authority than this act, to seize, and secure, every animal, of the cattle, or horse, kind, that may be found running at large, as aforesaid, and the same to sell, at public sale, in the same manner as is provided by law for selling strays, first giving the owner, if he can be found, at least five days' notice, previous to such sale; if said owner shall pay to the constable the said penalty of two dollars, and also pay for the expense of keeping said animal, or animals, then it shall be the duty of the constable to deliver the same to the owner thereof; but if he shall make a sale, as aforesaid, he Constable authorized to seize and sell the same. Owners may pay penalty and expenses.

If sale made,
overplus to be
paid to owner.

Appropriation
of penalty.

Penalty for ne-
glect or refusal
of constable.

This act not to
apply to.

shall pay the overplus, after deducting the said penalty and expenses, to the owner; and the constable making such seizure shall be allowed, for the same, to retain one-half of the penalty, and it shall be his duty to pay the other half to the treasurer of the school fund of the township, for the use of the schools thereof.

SECTION 3. That if any constable shall neglect, or refuse, to seize, or secure, any animal, aforesaid, found running at large, after being notified by any person to seize, and secure, the same, such constable shall pay a fine of five dollars, for the use of the schools of said township, for every such neglect, or refusal: *Provided*, That this act shall not apply to persons who are the owners of one cow only.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 452.

An Act

Relative to the Eastern Pennsylvania Bible House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the property of the Eastern Pennsylvania Bible House, situate at the north-west corner of Seventh and Walnut streets, Philadelphia, shall be and the same is hereby exempted from all taxation whatsoever, except for state purposes.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 453.

An Act

To repeal a supplement to an act to incorporate the M'Cauley Mountain Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supplement to an act, entitled "An Act to incorporate the M'Cauley Mountain Railroad Company," which was presented to the governor, on the seventh day of April, Anno Domini one thousand eight hundred and sixty-two, and was not returned within three days after the meeting of the present legislature, thereby becoming a law, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 454.

A Supplement

To an act to change the venue, in a certain case, from Beaver to Washington county, approved February eighteenth, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any, and every, indictment, or proceeding, against Eliza H. Barker, Margaret Jones, Eliza B. Craft, Jesse Barker, James Barker, or either of them, arising out of the alleged complicity of them, or either of them, in the escape of Eli F. Sheetz, from the jail of Beaver county, in the month of October last, which may, at any time, be preferred, or found, in the court of oyer

and terminer, or court of quarter sessions of Beaver county, shall be transferred to the court of oyer and terminer of Washington county, for trial, in like manner as though every such indictment, or proceeding, had been named in the act, to which this is a supplement, to be proceeded with as is provided for the indictment in the said act; and in case any such indictment shall be preferred against the said defendants, or any of them, the said defendant, or defendants, named in the same, shall be required to enter into recognizance, with sufficient sureties, to answer said indictment at the court of oyer and terminer of Washington county, as is provided in the act, to which this is a supplement; and the costs of any trial, arising therefrom, shall not be borne by Washington county, but shall be paid by Beaver county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

We do certify, that Senate bill, No. 648, entitled "A supplement to an act to change the venue, in a certain case, from Beaver to Washington county, approved February eighteenth, one thousand eight hundred and sixty-three," was presented to the governor on the first day of April, Anno Domini one thousand eight hundred and sixty-three, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

R. MILTON SPEER,

Assistant Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *April 14*, 1863.

No. 455.

An Act

To incorporate the Connecting Railway Company.

Preamble.

WHEREAS, It has become a public necessity to provide for the prompt, and economical, transportation of persons, and property, between the commercial cities of the seaboard, as well as, to and from the national capital, and that improved facilities should be furnished to the public:

And whereas, It is also desirable that such additional facilities, or routes, should be so located as to interfere as little as possible with the permanent thoroughfares of cities, and with the traffic, or commerce, thereof: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That Clement B. Barclay, Oliver W. Barnes, Edmund Smith, Commissioners.

S. B. Kingston, Joseph Lesley, John A. Wilson, R. D. Barclay, J. C. Sharpless, Isaac V. Elwell and Alfred C. Harmer, or any five of them, be and they are hereby appointed commissioners, to do the several acts and things prescribed in an act regulating railway companies, approved February fourteenth, one thousand eight hundred and forty-nine, for the purpose of organizing a railway company, to be known as the Connecting Name.

Railway Company, with power to lay out, construct, use and operate, a single or double track railway, commencing at some point on the Philadelphia and Trenton railroad, by a proper Route.

connection therewith, at, or near, Frankford, and extending thence, by such practicable route as may be selected by said company, to connect with the Junction, or Pennsylvania railroads, in the city of Philadelphia: *Provided*, Said line is so located as to cross the Schuylkill river above the Girard avenue bridge; the said, the Connecting Railroad Company, to have the right to cross all intermediate railways, and streets, at grade, if they deem it necessary, but in all such cases, they shall provide usual and suitable crossings, and maintain the same, at their own expense: *Provided further*, That any railway company, whose line may be crossed, at grade, shall have the right to connect their road, by a switch, or switches, in usual manner, with the Connecting railway hereby authorized to be constructed, for the purpose of interchanging traffic, if they so elect. Authorized to cross intermediate railroads and streets.

Railways crossed may be connected by switches.

SECTION 2. That the capital stock of the said, the Connecting Capital stock.

Railroad Company, shall consist of two thousand shares, of fifty dollars each, all the proceeds of which shall be expended in the construction of said road, with the right, on the part of the said company, to create mortgage bonds, with coupons attached, bearing six per centum interest, to an amount not exceeding the actual cash expenditures made, over and above the amount of capital stock, for the construction, and equipment, of said, the Connecting railway, together with such sidings, station houses, depots, expenses, and property, as may be necessary for the prompt transaction of the business of the company, and to provide for the wants of the public; said bonds to be secured by a mortgage upon all the property, franchises and privileges of the company. May create mortgage bonds Limitation.

SECTION 3. That the corporation shall be managed by a Management. president and six directors, who shall be elected, annually, by the stockholders, at such time and place, within the city of Philadelphia, as may be prescribed by the by-laws of the company.

SECTION 4. That the said, the Connecting Railway Company, Subject to. except as herein specially provided, shall be subject to all of the provisions, and restrictions, and shall be entitled to all the privi-

leges of the general laws of Pennsylvania, affecting railroad corporations.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 456.

A Further Supplement

To an act, entitled "An Act to extend the width of Chatham street, and open part of Tioga street, in the city of Philadelphia," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the width of Berks street, lately called Chatham street, between Sixth street and Broad street, in the city of Philadelphia, be and the same is hereby fixed at fifty feet; and that so much of an act, approved the third day of April, Anno Domini one thousand eight hundred and sixty, entitled "A supplement to an act to extend the width of Chatham street, and open part of Tioga street, in the city of Philadelphia, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five," as fixes the width of the said Berks street at seventy feet, so far as the same conflicts herewith, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 457.

An Act

Relating to recording inventories of appraisements of decedents' estates,
in the county of Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the clerk of the orphans' court of the county of Cumberland is hereby authorized, and required, to place upon record, in a fair and legible hand, in a book, or books, to be provided by the county of Cumberland, for that purpose, all inventories and appraisements of any property whatever, be the same real, personal, or mixed, which the widow, or children, of any decedent, may elect to take, and retain, under existing laws; the fees, for recording, to be the same as those received in similar cases, now performed by the recorder of said county, and to be paid by the estates of said decedents, respectively.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 458.

An Act

For the payment of troops of the Reserve brigade, first division, Pennsylvania militia, in service during the riots in the county of Schuylkill, in the month of May, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of Major General Robert Patterson, commanding the first division, Pennsylvania militia, immediately after the passage of this act, to make out, under oath, or

Major general commanding first division to forward to the auditor general certain statements.

affirmation, and forward to the auditor general, a detailed statement of the names, number and rank of commissioned officers; the names and number of non-commissioned officers, musicians and privates; the number of days said commissioned officers, non-commissioned officers, musicians and privates, were in actual service, and the names of the companies, battalions, or regiments, to which said officers, musicians and privates, were attached, who were called into service by orders of the governor and commander-in-chief, to suppress the riots in the county of Schuylkill, during the month of May last; also, the number of horses employed for the use of cavalry and artillery, and the number of days that said horses were in actual service; also, a statement of the actual cost of transporting said troops, of ammunition and subsistence furnished, hospital stores, and of other necessary expenses incurred.

Auditor general, with other accounting officers, to settle the claims of troops, &c.

To allow expenses for transportation, ammunition, subsistence, &c.
Proviso.

Mode of payment.

SECTION 2. That it shall be the duty of the auditor general, immediately after receiving the statements provided for in the foregoing section of this act, with the other accounting officers, as in other cases, to proceed to settle the claims of the troops, that were called into service, as set forth in the first section of this act, agreeably to the provisions of the fifth (5) paragraph, of the eleventh (11) section, of the act of twenty-first April, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act for the regulation of the militia of this commonwealth;" he shall, also, allow the actual expenses incurred in transporting said troops, furnishing ammunition, subsistence, hospital stores, and other necessary articles, mentioned in the statements of the major general of the division: *Provided*, That no person shall be entitled to receive compensation for services rendered in more than one capacity, or rank.

SECTION 3. The manner of making payment to said troops shall be as follows: the auditor general shall furnish to the treasurer of the city of Philadelphia, a detailed statement, exhibiting the amount to which the said troops are entitled, under the provisions of the fifth (5) paragraph, of the eleventh (11) section, of the act of twenty-first April, one thousand eight hundred and fifty-eight, entitled "An act for the regulation of the militia of this commonwealth," with a list of the names of the individuals entitled to the same, and the amount due each; and it shall be the duty of the said city treasurer to pay the said troops, in accordance with the list so furnished, and to take vouchers for such payments; and the said city treasurer, on presenting said vouchers to the auditor general, shall be entitled to a credit, on account of state taxes for said city, in an amount equal to the amount of vouchers presented as aforesaid; the amount necessary to pay the actual expenses incurred in transporting said troops, in furnishing ammunition, subsistence, hospital stores, and other necessary articles, shall be paid on warrants, which the auditor general is hereby authorized to draw on the state treasurer, in favor of the persons, or bodies corporate, to whom the same may be found due: *Provided*, That said money shall not be paid, until said officers and soldiers shall pay all bills contracted with landlords, and others, in Schuylkill county, for, or on account of, said alleged riots: *And provided further*, That those having claims shall present said bills to the city

Proviso.

Proviso.

treasurer, within sixty days from the passage of this act, duly certified to, before an alderman, or justice of the peace.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 459.

An Act

Vacating a part of Jones street, in the Ninth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jones street, in the Ninth ward of the city of Philadelphia, extending from Fifteenth street, westward two hundred and fourteen feet, be and the same is hereby vacated, and the title to the soil, over which the same is laid, is hereby vested in the owners of the property fronting on each side of said vacated street, to the middle thereof: *Provided*, That this act shall not go into effect, until the consent of all the property holders, on so much of said street as is to be vacated by this act, is first had and obtained.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 460.

An Act

Relative to the claim of James Dignam, of Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, attorney general and state treasurer be hereby authorized to examine the claim of James Dignam, for loss of time, and detention, occasioned by locomotives, et cetera, passing through the state tunnel, when employed at the same, and ascertain, and determine, what amount of damages, if any, he may have sustained thereby, and report the same to the next legislature.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 461.

A Further Supplement

To the act to incorporate the East Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall, and may, be lawful for the East Pennsylvania Railroad Company to extend their road to the river Delaware, and construct a bridge over the same, in conjunction with any other railroad company, having authority, from the state of New Jersey, to bridge said river, and make branch, or lateral, railroads, not exceeding nine miles in length; and in making the same, the said railroad company shall be entitled to all the privileges, and be subject to all the provisions, and restrictions, of the act of assembly incorporating said East Pennsylvania Railroad Company, under the name of the Reading and Lehigh Railroad Company, approved the ninth day of April, Anno Domini one

thousand eight hundred and fifty-six: *Provided*, That in case the extension, hereby authorized, should be located, and constructed, by way of the Monocacy creek, along the route of the Bethlehem Railroad Company, then, and in that case, it shall not be lawful for the East Pennsylvania Railroad Company to transport local freight, or passengers, to, or from, any point, on such portions of said route, where it may be located along said Bethlehem railroad, without the consent of said railroad company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 462.

A Supplement

To an act to incorporate the Plymouth and Wilkesbarre Railroad and Bridge Company, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WHEREAS, The requirements of the act of incorporation have been complied with, and the charter has been obtained, dated the thirtieth day of November, Anno Domini one thousand eight hundred and fifty-nine, but owing to the financial embarrassment, and the other difficulties, in which the country has been involved, the construction of the proposed railroad has not been commenced, within the three years limited by the general railroad law of the nineteenth of February, Anno Domini eighteen hundred and forty-nine; the said company are now desirous to commence the construction of the said road, and complete the same, as soon as it can be done.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the time for the commencement of the construction of the proposed railroad and bridge, by the said Plymouth and Wilkesbarre Railroad and Bridge Company, is hereby extended for the period of two years, from the passage of this act; and the charter of the said company is hereby declared to be valid, and with the same force and effect, as if the commencement of the construction of the proposed railroad had been commenced,

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within the three years from the date of the act of incorporation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 463.

An Act

Requiring Canal Companies to make yearly reports to the Auditor General.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act requiring railroad companies to make uniform reports to the auditor general," approved April fourth, Anno Domini, one thousand eight hundred and fifty-nine, be and the same is hereby extended to all canal companies, whose works in whole, or in part, lie within the limits of this commonwealth; and that the reports, required by this act, shall be transmitted, by the auditor general, to both branches of the legislature on, or before, the fifteenth day of January, in each and every year.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 464.

An Act

To incorporate the American Association for promoting social science.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alfred L. Kennedy, James W. White, John P. Verree, D. Francis Condie, B. Frank Palmer, Thomas P. Stotesbury, T. S. Arthur, Stephen Colwell, Samuel S. White, Henry C. Carey, Edward W. Clark, Evans Rogers, William D. Kelley, Robert Morris, Morton M'Michael, Joseph H. Marshall, William H. Allen, Henry D. Moore, and such other persons as may, hereafter, be associated with them, under this act, are hereby created a body politic, and corporate, in fact and in law, by the name, style and title of the American Association for promoting social science. Corporators. Title.

SECTION 2. That the said corporation, by that name, shall have, and enjoy, perpetual succession, and be able to sue and be sued, plead and be impleaded, in all courts of law, or elsewhere, and shall be able and capable, in law and in equity, to take, purchase, hold and receive, to them and their successors, for the use of said association, any lands, tenements, grounds, chattels, sum, or sums, of money, by gift, grant, bargain and sale, will, devise, or bequest, from any person, or persons, bodies corporate, or association, whatsoever, and the same to grant, bargain, sell, mortgage, improve, or dispose of, for the use of said association, and, in general, to do all things which may be lawful, or necessary, for the well-being and management of the said association: *Provided*, That the real estate, of which the said corporation shall, at any time, be possessed, shall not exceed the clear annual value of ten thousand dollars. Powers and privileges. Proviso.

SECTION 3. That the object, of said association, shall be the advancement of social science, by uniting the friends of the several sanitary, criminal, educational and other social reforms, and, by means of this union, to give greater power and efficiency to reformatory measures, through home and foreign correspondence, public meetings and conventions, lectures, addresses and discussions, the publication of memoirs and proceedings, and such other agencies and instrumentalities as may, from time to time, be found best calculated to increase, and diffuse, the benefits of social science. Objects.

SECTION 4. That the said association shall have power to make, and use, a common seal, and the same to alter, destroy, or renew, at pleasure; to make by-laws, and provide for its organization, and for the qualification, and election, of officers and members, so as to secure its own perpetuity and good government: *Provided*, That no by-law shall be valid, if in- Seal. By-laws. Proviso.

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consistent with the constitution, or laws, of this commonwealth, or of the United States.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 466.

An Act

To fix the location of the farm of John Lantz, in relation to certain township lines, in Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That, hereafter, the farm of John Lantz, in the county of Greene, shall be considered as, and taken to be, a part of the township of Gilmore, in Greene county, for school, election, tax, and all other purposes, as fully and effectually, as if the township lines, between the townships of Wayne and Gilmore, had originally taken, and included, the said farm within the limits of Gilmore township.*

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 468.

An Act

To incorporate the Lewisburg and Chillisquaque Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Cameron, Henry Frick, John Walls, Joseph Nesbitt, Hugh Martin, John Deffendaffer, Eli Slifer, George F. Miller, Isaac Frederick and George Frederick, or any six of them, be and are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style and title of the Lewisburg and Chillisquaque Turnpike Company, with power to construct a turnpike, from the east end of the Lewisburg bridge, in the county of Northumberland, to the Philadelphia and Erie railroad, in the same county, subject to all the provisions, and restrictions, of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered and supplied.

SECTION 2. That the capital stock of the said company shall consist of four hundred and eighty shares, of twenty-five dollars each share: *Provided,* That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as, in their opinion, may be necessary to complete the said road, and carry out the true intent, and meaning, of this act.

SECTION 3. That it shall be lawful for the said company to make use of any county bridge, on the line of the route of their road, and also use the whole, or any part, of any public road, and locate their road upon the ground occupied by any public road; and the court of quarter sessions of the county, through which the road of the said company passes, shall appoint viewers to view, and vacate, such parts of any public road as shall be used, or rendered unnecessary, by the construction of the said company's road, as is provided by the general road laws of this commonwealth, in the cases of roads which have become useless.

SECTION 4. That the president and managers shall have power to regulate, and establish, rates of toll, not exceeding double the rates established by the act heretofore mentioned, and the several supplements thereto, and to erect toll gates, and collect tolls, whenever one mile of their road shall have been completed: *Provided however,* That no toll shall be collected from persons merely traveling over that portion of said turnpike, lying along the river, to wit: from the point where said turnpike strikes the river road, and the end of the Lewisburg bridge.

May borrow money and issue bonds therefor. SECTION 5. That the said company shall have power to borrow money, at any rate of interest, not exceeding six per centum per annum, for the purpose of completing their road, and issue bonds therefor, and secure the same by mortgage of their road and franchises.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 467.

An Act

To authorize the auditor general to settle the claim of John Kennedy, deceased, late of Mifflin county, for damages sustained by him as a transporter, by reason of the sale of the main line of the Pennsylvania canal.

WHEREAS, By virtue, and under the authority, of an act, entitled "An Act to authorize the appointment of appraisers, to assess, and report, the damages sustained by transporters, and others, by reason of the sale of the main line of the Pennsylvania canal," approved the nineteenth day of May, Anno Domini one thousand eight hundred and fifty-eight, appraisers were appointed to ascertain, and assess, the amount of damages sustained by individual transporters, and make report thereof to the same session of the legislature:

And whereas, At the time of the sale of said main line of the Pennsylvania canal, John Kennedy, deceased, late of Mifflin county, was one of the individual transporters thereon, and was then, and previous thereto, the owner of one boat, known and denominated a section boat, of the value of which was not appraised, or returned, by said appraisers: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general is hereby authorized, and required, to examine the claim of the legal representatives of said John Kennedy, of Mifflin county, for damages sustained by him as a transporter, by reason of the sale of the main line of the Pennsylvania canal; and if he shall be of opinion that any amount is due the estate of the said John Kennedy, deceased, for damages sustained as aforesaid, then to determine the

amount so due, and draw his warrant for the same, in favor of said Kennedy's executor, administrator, or legal representatives, as the case may be, on the state treasurer, who is hereby authorized, and required, to pay the same, out of any money in the treasury not otherwise appropriated.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 468.

An Act

Relating to the publication of legal advertisements in the county of Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all legal advertisements, required to be published under the existing laws of this commonwealth, in the county of Franklin, all notices in cases pending in, or under process issuing out of, the courts of said county; auditors' notices, estate notices, notices of assignment for the benefit of creditors, notices of the filing of assignees', trustees', executors', administrators', and guardians' accounts; sheriffs', executors', administrators', assignees', or other judicial sales; and all and every other notice of whatsoever nature, or kind, required to be published, by direction of the court, or by the provisions of any act of assembly, shall hereafter be published in two weekly newspapers, having the largest circulation, in said county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 469.

An Act

For the relief of Henry Welsh.

WHEREAS, Henry Welsh, a corporal in the company of Captain J. E. Simpson, in the First artillery regiment, of the Reserve volunteer corps, of Pennsylvania, was disabled, while engaged, under orders, in firing a salute, on Capitol Hill, Harrisburg, on the morning of the fourth of July last, by the premature discharge of a six pounder, both of his arms having been so much injured as to require amputation :

And whereas, The said Henry Welsh can receive nothing from the general government, having only been sworn into the service of this state, and has received a certificate from J. P. Wilson, surgeon general of Camp Curtin, declaring him entirely disabled from obtaining his subsistence ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor and surgeon general of this state be and they are hereby authorized to procure, for the said Henry Welsh, a disabled corporal in the company of Capt. J. G. Simpson, in the First artillery regiment, of the Reserve volunteer corps, two artificial hands ; and the governor shall draw his warrant on the state treasurer, for the expense in procuring the same, to be paid out of any moneys in the treasury not otherwise appropriated : *Provided*, The cost of the same shall not exceed the sum of three hundred dollars.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 470.

An Act

Authorizing the Norris City Cemetery Company, of Norriton township, Montgomery county, and the trustees of the First M. E. Church of Norristown, to remove the dead in the Suplee burial ground.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the Norris City Cemetery Company, of Norriton township, Montgomery county, and the First M. E. Church, of the borough of Norristown, be and they are hereby authorized to disinter, and remove, the dead bodies, buried in the Suplee school house burial ground, adjoining said cemetery grounds, into the grounds of the Norris City Cemetery Company, or such other burial ground as the friends of the deceased may desire: *Provided,* That the grave-stones, and monuments, that now mark any particular grave, shall also be removed, and erected on the corresponding grave, in the grounds of said cemetery company. Removal of the dead authorized

SECTION 2. That before any bodies shall be removed, as provided in the preceding section, the cemetery company, and the trustees of said church, shall publish notices, in two of the principal newspapers of the county, of such intended removal; and that the expenses of said removal be borne, either by the M. E. church, or the said cemetery company, or jointly. Notices of the intended removal to be published.
Payment of expenses.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 471.

A Supplement

To an act to erect the town of Montrose, in the county of Susquehanna, into a borough, approved March twenty-ninth, one thousand eight hundred and twenty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Auditors to settle, annually, the accounts of overseers of the poor and treasurer of school fund.

Settlement and statement to be published.

Penalty for neglect of overseers or treasurer to settle.

Repeal.

That, hereafter, the auditors of the borough of Montrose shall meet, annually, on the first Monday of April, and shall audit, settle and adjust the accounts of the overseers of the poor, and of the treasurer of the school fund, in said borough; and said auditors shall file, with the town clerk, a certified copy of such accounts and settlements, annually, on, or before, the second Monday of April; and the same shall be published by the town council, together with the annual statement, as required, by law, for four successive weeks, in one newspaper in said borough, from and after the first Monday of May, then next: *Provided*, That if said overseers of the poor, or treasurer of the school fund, shall fail to settle his, or their, accounts, before the auditors, at the time specified, he, or they, shall be severally liable to a penalty of one hundred dollars, to be sued for, and collected, in the name of the borough, for the use of the poor of said borough, in the same manner as debts of like amount are, by law, recoverable.

SECTION 2. All acts, or parts of acts, inconsistent herewith, or supplied hereby, are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 472.

An Act.

Relative to the township elections in Davidson township, Sullivan county.

WHEREAS, In consequence of the prevalence of a contagious disease, no election for township officers, for the present year, was held in the township of Davidson, Sullivan county, at the time fixed by law for holding the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the qualified electors of Davidson township, Sullivan county, are hereby authorized to hold an election, for all such officers as should have been elected at the time fixed by law, on Tuesday, twenty-eighth day of April, Anno Domini one thousand eight hundred and sixty-three; and the officers, who should have held said election, are hereby authorized to hold

said election, on the day aforesaid, with the same force and effect, as if the same had been held at the time fixed by law.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 473.

An Act

Supplementary to an act to incorporate the Springhouse and Penllyn Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the capital stock of the Springhouse and Penllyn Turnpike Road Company be reduced from sixteen hundred shares to one hundred and sixty shares.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 474.

An Act

To incorporate the town of Bellevernon, partly in Fayette and partly in Westmoreland county, into a borough.

WHEREAS, The borough, hereby incorporated, is situated partly within the county of Fayette and partly within the

Preamble.

county of Westmoreland, and, therefore, the courts of said counties have not the power to incorporate the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town of Bellevernon, partly in Fayette and partly in Westmoreland county, shall be and the same hereby is erected into a borough, which shall be called "the borough of Bellevernon," bounded and limited as follows: beginning at low water mark, on the Monongahela river, at the mouth of Speer's run; thence, up said run, to the stone bridge; thence, in a direct line, to the north corner of the public school house lot; thence, along the east line of said lot, to the alley; thence, along said alley, to Gould's run; thence, down said run, to the Monongahela river, and down said river, at low water mark, to the place of beginning; and shall enjoy all the privileges, and be subject to the limitations, and restrictions, of the general laws of this commonwealth relating to boroughs.

SECTION 2. That the first election in said borough, for officers required to be elected by existing laws, shall be held at the public school house, on the third Saturday of May next, between the hours of one o'clock, P. M., and six o'clock, P. M., and shall be held by the officers elected at the last election in Bellevernon district.

SECTION 3. The said borough shall form a separate election district, and school district, and the qualified voters therein shall hereafter hold their general and borough elections in the public school house in said borough; and the qualified voters in Bellevernon election district, not included within the limits of said borough, shall, hereafter, vote as qualified voters of Washington township, Fayette county.

SECTION 4. The school directors, first elected under the provisions of this act, shall, immediately after their election, cause to be made an enumeration of the resident taxable inhabitants in said borough, and the president of the board of directors shall certify the same to the superintendent of common schools, who is hereby directed to adopt the number of taxables, thus certified to him, as the basis of the distribution, to said borough, of its share of the state appropriation; and the amount, to which the said borough is entitled, shall be deducted from the amount, to which Washington school district, in the county of Fayette, would otherwise be entitled, until after the next tri-ennial enumeration of taxables for school purposes.

SECTION 5. The borough election shall be held, annually, on the third Friday of March; and, inasmuch as the courts have not the power to incorporate the said town into a borough, the enrolment tax on this act shall only be twenty-five dollars.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 475.

An Act

To authorize the re-examination of the account between the Commonwealth and the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer of this commonwealth be and are hereby authorized, and required, to open, re-settle, and adjust the accounts, between Centre county and the commonwealth, from the year one thousand eight hundred and thirty-five, to the year one thousand eight hundred and sixty-three, inclusive, and strike the balance due the commonwealth, or the county, as the case may be.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 476.

An Act

To authorize the sale of the real estate of the Swatara Collegiate Institute, at, or near, Middletown, in the county of Dauphin.

WHEREAS, By an act of the general assembly of this commonwealth, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six, a seminary, for the education of young persons, males and females, was incorporated at, or near, the borough of Middletown, county of Dauphin, in this commonwealth, under the name, style and title of the Swatara Collegiate Institute: Preamble.

And whereas, The said institute, for the purpose of carrying out the objects and purposes contemplated in said act of incorporation, did, on the twelfth day of November, Anno Domini one thousand eight hundred and fifty-six, for the consideration of one thousand dollars, to him in hand paid, re-

ceive, from Stephen Wilson, a deed of indenture, granting and conveying, to the said Swatara Collegiate Institute, in fee simple, a certain piece, or lot, of ground, situate in Lower Swatara township, Dauphin county, aforesaid, bounded and described as follows, to wit: beginning at a post, on the road leading from the town (then) of Portsmouth to the turnpike road; thence, by the centre of a street, in West Portsmouth, continued, north, sixty-four and three-quarter degrees, west, fourteen and six-tenths perches, to a stake; thence, by the centre of said street, north, fifty-five degrees, west, forty perches, to a stake; thence, by a triangle street, north, thirty-two and one-half degrees, east, five perches and seven-tenths, to the centre of the Harrisburg, Portsmouth, Elizabethtown, Mount Joy and Lancaster railroad; thence, by the said railroad, south, seventy-six and one-half degrees, east, thirty-four perches, to the centre of the first mentioned road, leading from the turnpike road to Portsmouth; thence, by the same, south, twenty degrees, east, twenty-eight perches and four-tenths, to the place of beginning, containing three acres and ninety-nine perches, strict measure:

And whereas, No further steps have been taken in the establishment of said Swatara Collegiate Institute, and the objects, and purposes, contemplated by said act of assembly, having failed, and been utterly abandoned, the stockholders, therein, are desirous that the said real estate, herein described, should be sold, and the proceeds thereof be divided to, and among, them, in proportion to the amount of stock held by each:

And whereas, Trustees of said institute were not elected, as provided for by the seventh section of the said act of incorporation, and there being no one, whom the court of common pleas, of the said county of Dauphin, could, under existing laws, authorize, and empower, to make sale of said real estate, for the purposes desired; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Certain trustees
authorized to
sell real estate.

That Jacob Rife, James Young, George W. Etter, John S. Watson, E. J. Ramsay and Adolphus Fisher, six of the persons named, as trustees, in said act of incorporation, or such of them as are the holders of stock in said institute, be and they are hereby authorized, and empowered, at any time, or times, hereafter, to grant, bargain, and sell, all, or any part, or parts, of the real estate, herein described, at public, or private, sale, in fee simple, or for any other estate, and upon such terms, and conditions, as they may deem proper; and to convey, and assure, the premises, and hereditaments, so sold, with the appurtenances thereunto belonging, to the purchaser, or purchasers, thereof, in fee simple, or otherwise, as the case may be, free, clear, and discharged of, and from, all, and every, the trusts, estates, limitations and conditions, expressed and contained, in the indentures, or legal assurances, relating thereto, at any time heretofore made, and so that the purchaser, or purchasers, shall take, and hold, the said premises, so conveyed to them, without any limitations, or liability, on their part, to see to the application of the purchase money; and such conveyance, or

Terms and con-
ditions of sale.

conveyances, shall vest a perfect, and indefeasible, title to the real estate so sold, and conveyed, in the purchaser, or purchasers thereof.

SECTION 2. That the proceeds arising from any sale, or sales, made in pursuance of the provisions of this act, shall be divided between, to, and among, the stockholders in said institute, in proportion to the stock held by them, severally; and upon the proper payment thereof, the said trustees shall be released, and discharged, from any liability therefor.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 477.

An Act

Relating to the payment of stamp duties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act, all stamp duties required to be paid, in any judicial proceeding whatever, shall, when paid, be taxed as part of the costs in the proceeding, and paid by the party required to pay the other costs thereof.

Stamp duties to be taxed as costs in judicial proceedings.

SECTION 2. That in all cases of judicial sales, made by any sheriff, coroner, executor, administrator, guardian, or other trustee, under any order, or process, issued out of any court of this commonwealth, the stamp duties, required to be paid on the deed, when executed, shall be taxed with the other costs of the proceeding, and paid out of the proceeds of sale; and the same rule shall prevail, in sales for taxes, by the county treasurer, or other officers: *Provided,* That the provisions of this section shall only apply to sales made after the first day of April, one thousand eight hundred and sixty-three.

In all cases of judicial sales, and sales for taxes, stamp duties to be paid as costs.

SECTION 3. It shall be the duty of every officer, authorized to enter, or record, any instrument required, by the laws of the United States, to be stamped, to enter on the docket, or record, that the same was duly stamped, as required by law, which shall be *prima facie* evidence thereof, and in certifying a copy

An entry to be made on the docket of the stamp upon recorded instruments.

Effect of.

of such record, or instrument, to certify such entry, which shall have the same force and effect as the original entry.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 478.

An Act

Relating to supervisors, in certain townships in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

The supervisors of certain townships to view the making and repairing of roads, twice each month.

That the supervisors of the townships of Reilly, Cass, Foster, Butler, Norwegian, New Castle, Mahanoy, Rush, Blythe and East Norwegian, respectively, in the county of Schuylkill, are hereby required to view, and inspect, the making and repairing of the public roads in their respective townships, at least twice in each month, and be fully satisfied, before payment be made, that the contractors have fully complied with their contracts: for which services, so rendered, each of said supervisors shall receive a compensation, not exceeding one hundred and fifty dollars per annum, to be determined by the auditors of said townships, respectively.

Compensation therefor.

Repeal.

SECTION 2. So much of the second section of an act, approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty, as conflicts with this act, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 479.

A Supplement

To an act to incorporate the Roxborough and Manayunk Water Company,
approved one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Roxborough and Manayunk Water Company to extend their mains, for conveying water, to the Twenty-Second ward of Philadelphia, and are hereby authorized to make a contract with the Germantown Water Company, to supply the said company with water from the river Schuylkill.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 480.

An Act

To repeal an act, entitled "An Act to incorporate the North-Western Navigation Company."

WHEREAS, The aforesaid act was passed, without proper notice to the persons, whose rights and property are to be affected thereby :

And whereas, The said act will operate oppressively upon the persons owning timbered lands upon, and in the vicinity of, the Little Moshannon creek, in said act named ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to incorporate the North-Western Navigation Company," approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three, be and the same is hereby repealed: *Provided,* That this

act shall not take effect, until the parties, asking the same, shall pay to the corporation the full amount of money they have expended in improving the navigation of the stream aforesaid; which amount shall be fixed by three disinterested persons, to be appointed by the judges of the court of Centre county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 481.

An Act

Relating to the inspection of domestic distilled spirits.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of the state inspectors for the inspection of domestic distilled spirits, to use the same instruments for gauging and proving distilled spirits, as the United States inspectors are now required to use, under the provisions of the forty-second section of the United States excise law, approved July first, Anno Domini one thousand eight hundred and sixty-two.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 482.

An Act

To appoint commissioners to lay out a State Road, in the county of Delaware and city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Spencer M'Ilvain, John O. Deshong, John H. Baker, Joseph E. Hinkson, Joseph Taylor, surveyor of Delaware county, and Samuel Gibson, Robert E. Jones, John Dick, Paschall Lloyd and Paschall J. Hoopes, of the city of Philadelphia, are hereby appointed commissioners, to view and lay out a state road, from a point on a public road, called Hook road, in the township of Darby, and county of Delaware, at, or near, land of Jonathan Heacock, deceased, John P. Heacock and William D. H. Serrill; thence to, and over, Darby creek, to the most suitable point on the Island road, in the Twenty-Fourth ward of the city of Philadelphia. Commissioners.
Route.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking oath, or affirmation, before a justice of the peace, to perform the duties enjoined upon them, by this act, with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out, and mark, the same, upon the ground, on the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ a surveyor, at a per diem allowance of not more than three dollars, and two chain carriers, at a per diem allowance, not exceeding one dollar and fifty cents each, and one axeman, at a per diem allowance, not exceeding one dollar and fifty cents; and the said commissioners shall receive a per diem allowance, not exceeding two dollars, for each day necessarily employed in the discharge of their duties, enjoined by this act, which shall be paid, one-half by the treasurer of the county of Delaware, and the other half by the city of Philadelphia. Duties of com-
missioners.
Compensation
of surveyor, &c.

SECTION 3. That it shall be the duty of the commissioners, as aforesaid, to make out two separate and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation; one copy to be deposited in the office of the clerk of the court of quarter sessions, in the respective counties through which the road may pass, and from thenceforth the said road shall be a public highway. Drafts.

SECTION 4. That when the said road shall have been laid out, and located, as aforesaid, it shall be the duty of the commissioners of the county of Delaware, and the city commissioners of the city of Philadelphia, to cause to be erected upon the line Bridge to be
erected over
Darby creek.

Cost of.

of said road, a bridge, over Darby creek, with a draw of sufficient capacity to permit the passage of vessels navigating said creek; one-half the cost thereof shall be defrayed by each county; and upon the refusal, or neglect, of either of said board of commissioners, of said county and city, to perform the duties hereby enjoined, it shall be lawful for either of the boards of commissioners, aforesaid, to cause the said bridge to be erected, and to recover one-half the cost of the same from the city, or county, neglecting, or refusing, to perform the duties hereby enjoined: *Provided*, That nothing, contained in this act, shall require the commissioners, of the aforesaid counties, to commence the building of said draw bridge before the thirty-first day of December next.

Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

 No. 483.

An Act

To change the time of holding the borough election in and for the borough of Birmingham, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for holding the election in the borough of Birmingham, in the county of Allegheny, for borough officers, and school directors, be changed from the second Tuesday of January, to the third Friday of March, in each and every year; and that the terms of the burgess, members of the town council, and school directors, now in office, in said borough, which would otherwise expire on the second Tuesday of January next, be extended to the third Friday of March, Anno Domini one thousand eight hundred and sixty-four.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 484.

An Act

Relative to the military tax in Luzerne county.

WHEREAS, The military board of officers of the ninth division, Pennsylvania uniformed militia, in the county of Luzerne, at various times, during the years one thousand eight hundred and fifty-eight and nine, did issue, to the uniformed militia, in said county, military orders on the county treasurer, a portion of which were paid, by the treasurer of Luzerne county, to those living near the county seat, while those holding military orders, and residing at a distance from the treasurer's office, remain unpaid, and in many instances are held by the families of those who have volunteered in the service of their country, leaving their families with scarcely any means of support; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of Luzerne county be and he is hereby authorized, and required, to pay over any money arising from military tax, in said county, on the orders issued by the board of military officers in the years one thousand eight hundred and fifty-eight and one thousand eight hundred and fifty-nine.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 485.

An Act

To authorize the road commissioners of the township of Washington, in the county of Erie, to provide a place for holding elections in said township.

WHEREAS, The place designated, by law, for holding elections in the township of Washington, in the county of Erie, has been sold, and cannot longer be had, and there is no suitable place, that can now be had, for that purpose: Preamble.

And whereas, The qualified electors of said township, at an election, held on the twentieth day of March, Anno Domini one thousand eight hundred and sixty-three, did, by a large

majority, declare in favor of providing a place for holding the elections in said township; therefore,

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Road commissioners authorized to provide a house for holding elections.

That the road commissioners of the township of Washington, in the county of Erie, be and they are hereby authorized to provide some suitable building for a town-house, and the holding of the general, special and township elections in said township, either by renting, buying, or building, as they shall deem most expedient: *Provided*, That such town-house may be located, either in the township of Washington, or the borough of Edinboro', as shall be deemed most advisable.

Location.

Record of description and purposes to be filed in sheriff's office.

SECTION 2. That when such town-house, or place for holding the general, special, and township elections, has been provided, the road commissioners shall cause a record to be made of the same, setting forth the location and description of the building, and its purposes, according to the provisions of this act; and to file one copy with the sheriff of the county of Erie, whose duty it shall be, in publishing the notice for any general, or special, elections, and the constable of the township of Washington, hereafter, in giving the notice of the township elections, after the filing of such record, to designate, as the place for the holding of such elections, for the township of Washington, the place so designated by the provisions of this act; and all elections, general, special and township, shall thereafter be held in said place.

Notice of elections.

Tax to be levied for payment of expenses.

SECTION 3. That for the purpose of paying the expense of providing the place for holding the general, special, and township elections, for the township of Washington, the road commissioners, of the township of Washington, are hereby authorized to levy, collect, and pay out, in the usual manner, a tax, on all subjects and things made taxable for state, or county, purposes: *Provided*, That the taxes, hereby authorized, shall be paid out for no other purpose whatever: *And provided*, That not more than three mills on the dollar, of the adjusted valuation, shall be levied and collected, in any one year: *And provided further*, That the entire cost of such town-house, or place for holding elections for the township of Washington, shall, in no case, be more than eight hundred dollars.

Proviso.
Limitation.

Cost of house.

Title to land to be vested in commissioners.

SECTION 4. That the title for the lands, on which to erect such town-house, or place for the holding the elections for the township of Washington, shall be vested in the road commissioners, and their successors in office, and, in all respects, be under their supervision and control: *Provided*, That nothing, herein contained, shall be so construed, as to prohibit its use for all business pertaining to the general interests of the citizens of the township.

Use of house.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 486.

An Act

Relating to the docketts of certain deceased justices of the peace in the township of Monroe, in the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the docketts of Henry S. Salisbury and James B. Ingham, deceased, late justices of the peace in the township of Monroe, in the county of Bradford, and the docket of Thomas M. Wilson, who was a justice of the peace in the same township, but has removed from the state, shall be delivered, by the legal representatives of the said late justices of the peace, or the persons who may have possession of said docketts, to some justice of the peace in the borough of Monroeton, in the county of Bradford; and the said delivery shall have the same force and effect, and the justice, to whom the said docketts are delivered, shall have the same authority over, and perform the same duties in respect to, them, that any justice of the peace, in Monroe township, would have had and enjoy, had the said docketts been delivered to him.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 487.

An Act

Declaring Burned Dam run, in the county of Cambria, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Burned Dam run is hereby declared a public highway, from the point where it is now a highway, up to the forks of said run; and from thence, up the South Branch of said run, as far as Andrew Carle's saw mill, and up the North Branch of said run, as far as the farm of Valentine Krise, senior.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE W. LAWRENCE.

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 488.

An Act

Explanatory of an act, entitled "An Act to regulate the militia of this commonwealth," approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, so far as relates to the county of Lycoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eighth paragraph of the third section of the act of assembly, of the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act for the regulation of the militia of this commonwealth," shall not be so construed as to prevent the payment, to any persons concerned, of expenses due them, for services under said act; and in the absence, or upon the failures, of the proper military board to give such persons the proper certificate upon the treasurer, for pay, the commissioners of the county are authorized, and are hereby required, to draw such certificate, or order, for all services authorized, or directed, by them, or their predecessors in office; and the third paragraph of the sixth section, of said act, shall not be so construed as to prevent the treasurer of said county of Lycoming, from paying to the brigade inspector, of said county, the compensation, therein specified, for the last, or current, year, provided the said inspector shall, and does, make out, and return, the annual statement required by said section, within thirty days after the passage of this act: *Provided, The*

provisions of this act shall only extend to the county of Lycoming.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 489.

An Act

To incorporate the Strasburg and Big Spring Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John F. Herr, Amaziah M. Herr, Jacob Herr, Christian B. Herr, Henry Miller, John M'Cartney, Adam Herr, Cyrus Herr, Martin H. Krider, Christian Rowe, Hervey Brackbill, John H. Brackbill, Robert P. Spencer, Abraham Groff, John Musselman, Henry Musselman, Christian H. Miller, Henry Rohrer, George Deitrick, Christian Shaub, Christian Huber, John B. Herr, Christian Herr (Pequea,) and D. Herr, (Pequea,) or any five of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and to organize a company, by the name, style and title of the Strasburg and Big Spring Turnpike Road Company, with power to locate and construct a turnpike road, from Strasburg depot, Lancaster county, to a point at or near the Beaver Valley turnpike road, west of Lampeter Square, in the township of West Lampeter, Lancaster county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are not inconsistent with this and the following sections.

SECTION 2. That the capital stock of the said company shall consist of seven hundred shares, at twenty-five dollars each: *Provided*, That the said company may, by a vote of the stockholders, at a meeting called for the purpose, increase the capital stock so much as may be necessary, to complete the said road, and to carry out the true intent and meaning of this act.

SECTION 3. That whenever said company shall have finished said road, notwithstanding its length is less than five miles,

Commissioners.

Title.

Route.

Subject to.

Capital stock.

Proviso.

When tolls may be collected.

That Burned Dam run is hereby declared a public highway, from the point where it is now a highway, up to the forks of said run; and from thence, up the South Branch of said run, as far as Andrew Carle's saw mill, and up the North Branch of said run, as far as the farm of Valentine Krise, senior.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE W. LAWRENCE.

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 488.

An Act

Explanatory of an act, entitled "An Act to regulate the militia of this commonwealth," approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, so far as relates to the county of Lycoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eighth paragraph of the third section of the act of assembly, of the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act for the regulation of the militia of this commonwealth," shall not be so construed as to prevent the payment, to any persons concerned, of expenses due them, for services under said act; and in the absence, or upon the failures, of the proper military board to give such persons the proper certificate upon the treasurer, for pay, the commissioners of the county are authorized, and are hereby required, to draw such certificate, or order, for all services authorized, or directed, by them, or their predecessors in office; and the third paragraph of the sixth section, of said act, shall not be so construed as to prevent the treasurer of said county of Lycoming, from paying to the brigade inspector, of said county, the compensation, therein specified, for the last, or current, year, provided the said inspector shall, and does, make out, and return, the annual statement required by said section, within thirty days after the passage of this act: *Provided, The*

provisions of this act shall only extend to the county of Lycoming.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 489.

An Act

To incorporate the Strasburg and Big Spring Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John F. Herr, Amaziah M. Herr, Jacob Herr, Christian B. Herr, Henry Miller, John M'Cartney, Adam Herr, Cyrus Herr, Martin H. Krider, Christian Rowe, Hervey Brackbill, John H. Brackbill, Robert P. Spencer, Abraham Groff, John Musselman, Henry Musselman, Christian H. Miller, Henry Rohrer, George Deitrick, Christian Shaub, Christian Huber, John B. Herr, Christian Herr (Pequea,) and D. Herr, (Pequea,) or any five of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and to organize a company, by the name, style and title of the Strasburg and Big Spring Turnpike Road Company, with power to locate and construct a turnpike road, from Strasburg depot, Lancaster county, to a point at or near the Beaver Valley turnpike road, west of Lampeter Square, in the township of West Lampeter, Lancaster county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are not inconsistent with this and the following sections.

SECTION 2. That the capital stock of the said company shall consist of seven hundred shares, at twenty-five dollars each: *Provided*, That the said company may, by a vote of the stockholders, at a meeting called for the purpose, increase the capital stock so much as may be necessary, to complete the said road, and to carry out the true intent and meaning of this act.

SECTION 3. That whenever said company shall have finished said road, notwithstanding its length is less than five miles,

Commissioners.

Title.

Route.

Subject to.

Capital stock.

Proviso.

When tolls may be collected.

the same proceedings may be had, to enable the said company to erect and fix toll gates upon the same, and collect tolls, as is provided in the aforesaid act of assembly, in relation to turnpike and plank road companies.

May use streets
or township
roads.

SECTION 4. That the said company may use all or such parts of streets or public township roads, existing between the points aforesaid, as shall be deemed practicable and beneficial to the interests of the said company.

Commencement
and completion
of road.

SECTION 5. That the said company shall be required to commence the said road within one year from the passage of this act, and finish the same within three years.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 490.

An Act

To provide a place for holding elections in the borough of Edinboro', in the county of Erie.

Preamble.

WHEREAS, The place designated by authority of law for holding the general, special and borough elections, in the borough of Edinboro', in the county of Erie, has been sold, and there is no suitable place that can be had for that purpose; therefore,

Council autho-
rized to provide
place for hold-
ing elections.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council, of the borough of Edinboro', in the county of Erie, be and they are hereby authorized, and directed, to provide some suitable place for holding the general, special and borough elections in the said borough, either by renting, buying, or building, as they shall deem most advisable.

Record of loca-
tion and de-
scription to be
filed in sheriff's
office.

SECTION 2. That when such place has been provided, the burgess and town council shall cause a record to be made of the same, setting forth the location, and description, of the building, and its purposes, according to the provisions of this act, and file a copy of the same with the sheriff of the county of Erie; and it shall be the duty of the sheriff, in publishing the notice for the general and special elections, after the filing of such record, and of the constable, of the borough of Edinboro', hereafter, in giving the notice for borough elections, to

Notice of elec-
tions.

designate, as the place of holding such elections, the place provided under the provisions of this act; all elections, general, special, and borough, shall thereafter be held in said place.

SECTION 3. That for the purpose of paying the expense of Tax to be levied providing such place for holding elections in the borough of for payment of Edinboro', the burgess and town council are authorized, and expense. directed, to levy, collect, and pay out, in the usual manner, a tax on the subjects and things, made taxable for state, or county, purposes: *Provided*, That not more than five mills on the dollar, Proviso. of the adjusted valuation, shall be collected in any one year: *And provided further*, That the entire cost of providing such Limitation as to place, for holding the elections in the borough of Edinboro', cost of house. shall in no case be more than five hundred dollars.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 491.

An Act

To divide Cornplanter and Allegheny townships, Venango county, into two election districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act, all that part of Part of Cornplanter township, Venango county, lying west of Oil creek, planter township constituted and also, all that part of the farms, or tracts, of land, marked a separate election district. on the Irwin and Heydrick maps of Venango county, as belonging to A. and J. Buchanan, J. M'Clintock, R. A. Dempsey, John Rynd, John Blood, James Farr, and William Story,

be and they are hereby constituted an election district, separate and distinct from said township, for general and township Place of holding elections. purposes; said elections to be held at the house of John Rynd, in said township.

SECTION 2. That the qualified electors, included within the Officers to hold limits named in the first section of this act, who may be present first election. at the opening of the first election, at the place named in this act, shall elect one person to act as judge, and two persons as inspectors, of said election; and each inspector shall appoint one clerk; which persons shall constitute the proper election

board of said district, until their successors are duly elected, at the first township election; and the constable of Cornplanter township shall, each year, give legal notice of the township elections, provided for by this act.

Part of Allegheny township made a separate election district. SECTION 3. That all that part of Allegheny township, in the county of Venango, lying east of a line, commencing on the north line of said township, on line between tracts of land, marked on the Irwin and Heydrick map of Venango county, as belonging to S. Benedict and A. Hantly, and Rouse and Benedict; thence south, along said line of tracts, to its intersection with the Franklin and Warren turnpike road; thence southwardly, along said road, to the south line of said township, in said county, shall constitute a separate district, for general and township election purposes; the elections to be held at the

Place of holding elections. house, at which they have, heretofore, been held, in said township; and all that portion of said Allegheny township, lying west of the said line, shall constitute a separate district, for general and township election purposes; the election for said district to be held at the Jerusalem school house, in said district: *Provided*, That the first election board, for the last named district, shall be elected as provided by the second section of this act; and that the constable of the said Allegheny township shall, each year, give legal notice of the township elections, provided for by this section.

First election board.

Constable to give notice.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 492.

An Act

To enable and authorize the brigade inspectors of Luzerne and Wayne counties to make returns.

WHEREAS, The brigade inspector for second brigade, ninth division, and the brigade inspector of the tenth division, have failed to make the return to the adjutant general, required by the forty-eighth section of the act of the twenty-first April, one thousand eight hundred and fifty-eight, for the year one thousand eight hundred and sixty-two; for remedy thereof,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the brigade inspector of the second brigade, ninth division, is hereby authorized to make the returns, required to be made, to the adjutant general, by the forty-eight section of the act of twenty-first of April, one thousand eight hundred and fifty-eight, with the same force and effect, as if the same had been regularly made under the requirements of said act; and that the provisions of this act shall apply to the brigade inspector of the second brigade, tenth division, Pennsylvania militia.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 423.

A Supplement

To an act, entitled "An Act to prevent the forcibly and fraudulently crossing of bridges without payment of toll," approved the tenth day of March, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where judgment is entered against any defendant, under said act, for the penalty therein mentioned, process, to collect the same, by distress, may be issued, and in case the defendant shall neglect, or refuse, to pay said penalty forthwith, or goods and chattels cannot be found, whereof to levy the same, with costs, the defendant, not being a female, thus offending, shall be imprisoned in the county jail, by law, until the penalty and costs shall be paid, or otherwise discharged: *Provided*, That the provisions of this supplement shall only extend to the counties of Montgomery and Pike.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 494.

A Supplement

To an act to lay out a State road in Chester and Montgomery counties, approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners, appointed to lay out said road, be and they are hereby authorized to vacate any road, or parts of a road, which may be rendered useless or unnecessary, and also, to lay out any part of said road, on the bed of any road, or part of a road, heretofore constructed, or laid out, by authority of law, or otherwise, and the damages sustained by the owners of land, if any, shall be assessed and paid, as provided by act of thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No 495.

An Act

To authorize the erection of a poor house by the township of Coal, in the county of Northumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* **Commissioners.** That William H. Marshall, Joseph Bird and George M'Celiese, of the township of Coal, in the county of Northumberland, and state of Pennsylvania, be and they are hereby appointed commissioners, whose duty it shall be, or a majority of them, as

soon after the passage of this act as practicable, to determine, and with the assent of the court of quarter sessions of said county, purchase such real estate as may be necessary, and proper, for the accommodation of the poor of the township of Coal, aforesaid; and it shall be lawful for said commissioners to take, and receive, proper conveyances therefor, in the name, and for the use, of the corporation, mentioned in the second section of this act, and upon the receipt of such conveyance, to execute, in the name of said corporation, and deliver to the vender, or venders, bonds, or mortgages, upon said real estate, to secure the payment of so much of the purchase money thereof as shall remain unpaid, and also to erect thereon suitable buildings, for the accommodation, and keeping, of the poor of said township; and they are also authorized, and empowered, to borrow such sum, or sums, of money as may, in their opinion, be advisable and necessary, not exceeding seven thousand dollars, at a rate of interest, not exceeding six per centum, to be used in the payment of the expense of purchasing said real estate, and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.

Their powers.

SECTION 2. That the said William H. Marshall, Joseph Bird and George M'Celiese, are hereby constituted directors of the poor, in the township aforesaid, until successors are elected, or appointed, and qualified, as hereinafter provided; and they, and their successors in office, are hereby created a body politic and corporate, in law, to all intents and purposes whatever, relative to the poor of said township, and shall have perpetual succession, by the name, style and title of the Directors of the poor of Coal township, and by that name, may be sued, plead and be impleaded, receive, take and hold, any lands, tenements, and hereditaments, not exceeding the yearly value of three thousand dollars, to erect, and keep in proper condition, suitable buildings, for the reception, use, accommodation and employment, of the poor of said township, and to provide all things necessary for the lodging, maintenance and employment of the poor of said township.

Commissioners constituted directors of the poor until election.

Title of corporation.

Privileges.

SECTION 3. That the said William H. Marshall, Joseph Bird and George M'Celiese shall continue in office, as directors, until the annual February election, in the year one thousand eight hundred and sixty-four, at which time, the qualified electors, of the township of Coal, shall elect one person to serve as director of the poor of said township, for the term, or period, of three years; the said Joseph Bird and George M'Celiese holding over until the usual spring election, for township officers, in said township, in the year one thousand eight hundred and sixty-five, at which time, the qualified voters of said township shall elect one person to serve, as director of the poor of said township, for the term, or period, of three years; the said George M'Celiese holding over until the usual spring election, for township officers, in said township, in the year one thousand eight hundred and sixty-six; and at the usual spring election, for township officers, in said township, after the spring election in the year one thousand eight hundred and sixty-six, every year after, the qualified voters of Coal township shall elect one person to serve, as director of the poor of said township, for the term,

Elections of directors, when and how to be held.

or period, of three years: and for the purpose of ascertaining the result of said election, it shall be the duty of the judge and inspectors of elections to count up the votes polled in the said township, for the respective candidates, for the office of director of the poor, aforesaid, and such candidate as shall have received the highest number of votes, in said township, shall be declared elected, and the said judge and inspectors shall thereupon certify his election accordingly, as well to him, as to the board of poor of said township; and in case of a tie vote between the candidates for the said office, in said township, the constable shall put the names of the candidates, thus having received an equal number of votes for the said office, respectively, into a suitable box, or drawer, and, after having shaken them together, shall draw therefrom the paper containing the name of one of the said candidates, and such person, whose name has been thus drawn, shall be declared elected to the office aforesaid; and the judge of elections, in whose presence the said drawing shall take place, shall certify, together with the constable, the election of said director of the poor, as well to himself, as to the directors of the poor of said township; and in case of a vacancy occurring in the board of directors of the poor of said township, by death, resignation, or otherwise, it shall be the duty of the judges of the quarter sessions, of the county of Northumberland, to appoint a suitable person to fill such vacancy, for the unexpired term of the director causing the same: *Provided*, That the person, appointed to fill any vacancy, shall reside in the township of Coal, for which said vacancy shall be filled: *And provided further*, That the judges of the court of quarter sessions, of Northumberland county, shall have power to remove any director for gross neglect of duty, or other misconduct, upon the petition of twenty, or more, of the electors of Coal township, on hearing of the complaint, after reasonable notice to the director complained of.

Vacancies to be filled by court.

Directors to reside in Coal township.
Court may remove.

Oath.

Appointment of officers, &c.

Treasurer and collector to give bonds:

Vacancies.

SECTION 4. That the directors shall, before entering upon the duties of their office, respectively, be duly sworn, or affirmed, to faithfully discharge the duties of said office; and the persons herein appointed directors, shall, as soon as they shall think proper, after the passing of this act, appoint a treasurer, steward, or superintendent, collector of poor taxes, and such other assistants as they may deem necessary, who shall serve until successors are appointed; and in the month of March, in the year one thousand eight hundred and sixty-four, and in the month of March, in each year thereafter, the said directors shall appoint a treasurer, collector, steward, or superintendent, physician, and such other assistants as they may deem necessary, to serve for one year, and until successors are appointed and qualified; the said treasurer and collector to give bonds, with sufficient security, to be approved by the president judge of said county, and filed in the office of the prothonotary of said court, conditioned for the faithful performance of their respective duties, in such sum as the directors shall require. Any of said officers, or assistants, may be removed by said directors, for neglect of duty, or for improper conduct in office, and the vacancies, as well as all vacancies, which shall otherwise occur, shall be filled by them.

SECTION 5. That the said directors, a majority of whom shall constitute a quorum for the transaction of business, shall have power, annually, as soon after the returns of the annual assessments in said county as is practicable, to lay a rate of assessments upon all real and personal property, trades and occupations, and all other matters and things made taxable under existing laws, for state and county purposes, in the township aforesaid, for defraying the expenses of purchasing the real estate, as referred to in the first section of this act, erecting said buildings, and of stocking and fitting up the property of the corporation, for the proper comfort and employment of the poor of said township, which shall be the same rate per centum in said township, and shall be levied upon the basis of the last adjusted valuation, made for regulating county rates and levies; and, having caused fair duplicates of such rate, or assessment, by them laid, to be made, which shall be signed by them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand, receive, and collect, from every person therein named, the sum wherewith such person stands charged, in the manner and by the same process as poor taxes are now by law collectable; and the said directors shall, from the time of providing by them of suitable buildings for the accommodation of said poor, exercise and perform all the powers and duties, which overseers of the poor may, and are now required by law to, exercise and perform, within said township, except so far as such acts, duties, and powers, as are herein expressly prescribed, or limited.

Collection.

Directors to exercise the powers of overseers.

SECTION 6. That the said directors shall keep, or cause to be kept, a book, or books, in which shall be entered the names, the age and sex, and place of nativity, of all and every poor person coming from the township aforesaid, to whom they shall give relief in the poor house aforesaid; and they shall keep, or cause to be kept, a just and true account of the cost and expenses of maintaining the poor, admitted into the said poor house, or relieved by the said directors from Coal township; and the said directors, or a majority of them, shall have power, annually, as soon after the returns of the annual assessment in said county as practicable, to lay a rate of assessment upon the real and personal estate, trades, occupations, and all other matters and things, made taxable under existing laws, for state and county purposes, within the township aforesaid, for defraying the expenses of maintaining the poor coming from said township; which rate shall be levied upon the basis of the last adjusted valuation, made for regulating county rates and levies, and shall not, together with the rates, for which provisions have been made in the preceding section of this act, exceeding one cent on the dollar at one time; and having caused fair duplicates, of such rate, or assessment, by them laid on the property aforesaid, in said township, to be made, which shall be signed by them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand, receive, and collect, from every person therein named, the sum wherewith such person stands charged, in the manner, and by the same process, as poor taxes are by existing laws collectable.

Duties of directors.

Taxation, relative to.

Exonerations.

SECTION 7. That the said directors shall have the exclusive power to grant exonerations for taxes, levied in pursuance of this act.

Account of collections, exonerations and expenses to be kept open to inspection.

SECTION 8. That the directors shall keep, or cause to be kept, a book, showing the amount of taxes levied in said township, the amount exonerated, and collected, in each, and the amount expended in maintaining the poor of said township; which book, or books, shall, at all times, be open to the inspection of any of the electors in the said township.

Directors to file certain certificates, when buildings completed, &c.

SECTION 9. That the said directors shall, as soon as they shall have provided suitable buildings for the accommodation of the poor of said township, file, in the office of the clerk of the quarter sessions, of Northumberland county, a certificate, setting forth, that such buildings are ready for the reception and accommodation of said poor; which certificate shall, also, contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring, and fitting up, the same, together with the cost of stocking, and fitting up, the property of the corporation; and they shall, also, give notice, to the overseers of the poor, of said township, of their readiness to receive, and accommodate, the poor thereof; which said overseers are required, forthwith, to furnish said directors with a list of the names of the persons, then a charge upon said township, or receiving relief therefrom, with the place of residence of each; and the said directors shall, thereupon, cause such poor persons, or such of them as they shall think it expedient, to be removed to said house, so provided, and, thereafter, to be kept, lodged, and maintained therein, so long as such person shall continue a charge upon said township; and no person, who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief, or support, from said directors, or from said township, during the time of such refusal: *Provided however,* That said directors may, if they think proper, furnish assistance, and afford relief, to any poor person, without requiring them to be removed to, and kept at, said poor house.

Notice to overseers.

Their duties.

Removal of poor

Proviso.

Work to be performed by inmates.

SECTION 10. That the said directors are hereby authorized to provide work, and employment, for such poor persons as may be able to perform any labor, or pursue any employment; and if any poor person, unless by reason of age, infancy, disease, infirmity, or other disability, shall refuse to perform reasonable labor, or service, as shall be allotted to, or required of, him, or her, by said directors, such person, or persons, shall not be entitled to, or receive, any relief, or assistance, during such refusal, and shall, immediately, upon such refusal, be discharged from said poor house.

When overseers to cease acting.

SECTION 11. That the overseers of the poor, of the township of Coal, shall, as soon as notified, by the directors, in the manner provided for in a preceding section of this act, cease to act as overseers of the poor, in said township, except so far as may be required to settle, adjust, and close, their accounts, as overseers, with said township, or with persons, with whom they have transacted business; and they shall, upon demand, deliver to the said directors, transcripts all poor taxes, remaining unpaid on duplicates in their hands, together with all books, orders, pa-

All papers and moneys to be delivered to directors.

pers, and documents, pertaining to their office, as overseers; and shall, also, pay to the said directors, or to the treasurer appointed by them, all the moneys unexpended in their hands, belonging to the said township; and the said directors shall, forthwith, issue their warrant to the collector, for the collection for all such unpaid poor taxes; which shall be collected in the same manner, as is provided for the collection of taxes, assessed by said directors.

Collection of unpaid taxes.

SECTION 12. That if, upon a final settlement, by said overseers, of the said township, aforesaid, of their account, as overseers, any balance shall be found due them, or either of them, the said balance shall be certified by the auditors making such settlement, and, thereupon, the said directors are required to issue their order, upon the treasurer, in favor of such overseer, or overseers, for the amount, or amounts, so certified to be due.

Balance due overseers, relative to.

SECTION 13. That the said directors are hereby required, yearly, on the first Monday of January, in each year, to make, and prepare, a statement, or to cause the same to be done, showing the income of said real estate, for the preceding year, as nearly as the same can be done; also, the excess of the expenditures, over, and above, said income, during the said preceding year; the amount, and kind, of personal property, then on hand, including grain, stock, and all farming implements and conveniences; the number of persons admitted from the township aforesaid; and also, the number discharged, and belonging to the said township; the length of time each of the said persons remained, and the age, sex, and nativity, of each; as just and correct account of the receipts, and disbursements, for the said township, during the preceding year; which statement the said directors shall, annually, in the month of March, in each year, publish, in a weekly newspaper, in said township, in three successive issues of the same, together with a statement of the aggregate amount of the receipts, disbursements, and expenditures, of said corporation, during the preceding year, from any source whatever, or for any cause, or purpose, whatever.

Directors to make annual statements of income, expenditures, &c.

Publication of.

SECTION 14. That the auditors of the township of Coal, shall constitute a board of auditors, who shall meet on the first Monday of March, in each year, and shall receive, for their services, each, one dollar and fifty cents per day, for every day necessarily employed, which shall be paid out of the funds belonging to the corporation.

Auditors.

Compensation

SECTION 15. That the said directors are hereby authorized to bind out poor children, under their care, whose parents are dead, or unable to support them, as apprentices, in the same manner, and under the same restrictions, as the overseers of the poor may now, by law, put out such children; and the said directors shall exercise the same power and authority, over all real and personal estate of any poor person under their care, as is now by law vested in the overseers of the poor.

Apprentices.

Property of poor persons, relative to.

SECTION 16. That the compensation of the treasurer, collector, steward or superintendent, matron, physician and other officers or assistants, shall be fixed by the directors; and the compensation of the directors shall be fixed by the board of auditors, at each yearly settlement, for the next succeeding year:

Compensation of directors and officers.

Proviso.

Provided, That the compensation of said directors, from the passage of this act, until the first settlement, shall be fixed by the board of auditors, at the first yearly settlement; the said directors to furnish the said auditors, with a correct account of the time and expense, lost and incurred by them, in attending to their duties, from which account, the said compensation shall be fixed and adjusted.

Appeals from settlements of auditors.

SECTION 17. That the said directors, or treasurer, or any one or more of the tax-payers of said township, may, within thirty days from the yearly settlement, by the auditors as aforesaid, appeal from such settlement, to the court of common pleas of Northumberland county, in the same manner, and under the same provisions and regulations, that appeals from township auditors are now made and allowed.

Orders upon treasurer.

SECTION 18. That no moneys shall be paid by the treasurer, except by orders drawn by the directors, and signed by at least a majority of said directors.

Vote to be taken upon the adoption, or rejection, of this act.

SECTION 19. That the constable, of said township, is hereby authorized and required, as soon as practicable, after the passage of this act, to make proclamation, in the same manner, and for the same length of time, as is provided, by law, in cases of county and township elections, for a special election, to be held at the usual place of holding the township elections, for said township; said special election to be held by the board of township election officers; at which time and place, the legal voters, of said township, shall vote for the adoption or rejection of this act, by voting printed or written tickets, having on the outside, the words, "poor house," and on the inside, "for a poor house," or "against a poor house;" a majority of the legal votes; so cast, for or against a poor house, shall decide for or against said act; the expense of said election to be paid out of the poor fund of said township.

Constable to give notice.

How election to be conducted.

Expense of, how to be paid.

SECTION 20. That all acts of assembly, or parts of acts, hereby supplied, or inconsistent with this act, are hereby repealed.

Repeal.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 496.

An Act

Extending to Allegheny county the provisions of an act to give jurisdiction, in equity, to the Supreme Court, and the Court of Common Pleas for the county of Philadelphia, in cases of disputed boundaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of the act, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act to give jurisdiction, in equity, to the supreme court for the Eastern district of Pennsylvania, and the court of common pleas for the county of Philadelphia, in cases of disputed boundaries," be, and the same is hereby, extended to the supreme court for the Western district of Pennsylvania, and the court of common pleas, and district court of the county of Allegheny, within the said county of Allegheny.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 497.

A Supplement

To an act to incorporate the town of New Castle, in the county of Mercer, and the town of Blairsville, in the county of Indiana, and for other purposes, passed the thirty-first day of May, one thousand eight hundred and forty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions contained in the seventh, eighth, ninth, tenth, and eleventh sections of the act to which this is a sup-

plement, be and the same are hereby extended to the county of Northampton.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 498.

An Act

To restore the farm of Augustine Byrne, or so much thereof as is included in Chest Springs borough, to Allegheny township, in the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the farm of Augustine Byrne, or so much thereof as is now included within the limits of the borough of Chest Springs, in the county of Cambria, be and the same is hereby restored to, and made part of, the township of Allegheny, in said county of Cambria, to which it belonged, before the incorporation of said borough of Chest Springs.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 499.

An Act

To prevent cattle, horses, sheep and swine from running at large in the county of Susquehanna.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of July next, all horses, cattle, sheep and swine, belonging to farmers, or other persons, found running at large, or upon the public roads or highways, in the county of Susquehanna, shall be considered, in character of strays, and may be taken up as such, by any person, and shall and may be disposed of, under the existing laws of this commonwealth, relating to strays, if such person shall see proper to prosecute the same: *Provided,* That this act shall not apply to any of said animals, that may have accidentally escaped from their enclosures.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Dmoini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 500.

An Act

Authorising the Governor to incorporate the Coopertown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James J. Brooke, Jesse Brooke, Jackson Lyons, Charles Johnson, Wm. Hawkins, Bartine Smith, Augustus B. Leedom, Commissioners.

James A. Moore, George P. Dickinson, Thomas Cornoy, Benjamin Anderson, James P. Lindsay and Daniel J. Carter, of Delaware county, or a majority of them, be and they are hereby authorized, and appointed, commissioners, to open books, and receive subscriptions, and organize a company, by the name, style and title of the Coopertown Turnpike Road Company, with power to construct a turnpike road, over, and upon, the bed of the Darby road, beginning at a point where the West Chester road crosses the said road, at, or near, the six mile stone of said West Chester road, and following the line of said Darby road to, and terminating at, Coopertown, a distance of about two miles, subject to the provisions, and restrictions, of an act regulating turnpike and plank road companies, passed the twenty-sixth of January, eighteen hundred and forty-nine, and the supplement thereto, excepting that portion of which relates to the collection of tolls.

Tolls, how to be regulated. SECTION 2. That the company, hereby incorporated, shall have power to regulate their tolls, appoint toll gatherers, and punish frauds, agreeably to the provisions, and restrictions, of the twelfth section of an act, entitled "An Act authorizing the governor to incorporate the West Chester and Philadelphia Turnpike Road Company," approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and forty-eight: *Provided*, That if it shall be ascertained that the profits of the company will not produce a dividend, on the capital stock, of six per centum per annum, then it shall be lawful for the president and managers to add to the tolls herein authorized by this act, so as to produce that per centage; and if the tolls shall, at any time, produce a net income, exceeding ten per centum per annum, then the tolls shall be reduced so that the net income shall not exceed that amount.

Dividends.

Capital stock.

Proviso.

SECTION 3. That the capital stock of said company shall consist of three hundred shares, at twenty-five dollars per share: *Provided*, That the said company may, from time to time, by a vote of a majority of the stockholders, at a meeting, called for that purpose, increase their capital, so much as may be necessary, in their opinion, to complete the road, and to carry out the true intent and meaning of this act.

Road commissioners and supervisors authorized to borrow money to pay instalments

SECTION 4. That the road commissioners, and supervisors, of the highways of the township, through which the turnpike road, aforesaid, shall pass, shall, in addition to the powers vested in them by the act of assembly, approved April fifth, Anno Domini one thousand eight hundred and forty-two, authorizing subscriptions to turnpike roads, on behalf of townships, through which said road may pass, be authorized, and empowered, to borrow money to pay the instalments on the stock, so subscribed, and to issue certificates of loan for the same, bearing an interest, not exceeding six per centum per annum, and payable at any time, not exceeding two years; which certificates shall be binding on said township for said purpose: *Provided*, That no certificate of loan shall be issued of a less amount than one hundred dollars.

Certificates of loan to be issued.

Proviso.

When road to be commenced and completed.

SECTION 5. That if said company shall not commence the construction of their road within three years, and complete the same within ten years, after the passage of this act, it shall be

null and void, except so far as may be necessary to wind up the affairs, and pay the debts, of the company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 501.

An Act

In relation to Prothonotary and Clerks of the several courts in Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of the county of Erie shall, on the second Tuesday of October, Anno Domini one thousand eight hundred and sixty-three, elect one person to fill the office of prothonotary, and one in person to fill the office of clerk of the courts of general quarter sessions, oyer and terminer, and orphans' court, and one person to fill the office of recorder of deeds and register of wills; and so much of the first section of the act of July second, one thousand eight hundred and thirty-nine, as is inconsistent herewith, is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 502.

An Act

To authorize George T. Hummel, of Hummelstown, to sell certain ground rents.

Preamble.

WHEREAS, David Hummel, late of Hummelstown, in the county of Dauphin, was, in his lifetime, and at, and immediately before, his decease, seized, in fee, of the nine-tenths part of a certain perpetual ground rent, issuing out of sundry lots, situated in Hummelstown, aforesaid, to wit: lots on Market street, in said town, numbered fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, one hundred and eleven, one hundred and twelve, one hundred and thirteen, one hundred and fifteen, one hundred and sixteen, one hundred and seventeen; and also, back lots, numbered fifty-two, fifty-three, fifty-four, fifty-six, and fifty-seven; the other one-tenth of said ground rents being vested in the German Lutheran church, located in Hummelstown, aforesaid:

And whereas, Said David Hummel, deceased, having first made his last will and testament, dated the sixteenth day of September, one thousand seven hundred and ninety-three, and duly proved, in the office of the register of Dauphin county, December seventeenth, one thousand seven hundred and ninety-three, whereby, he (*inter alia*) provided that his wife, Mary, shall have all the ground rents:

And whereas, Said Mary, recently, died intestate, having remained unmarried, since the decease of her said husband, David Hummel, leaving issue, several children, and issue of deceased children, of them, the said David and Mary Hummel, some of whom are still in their minority:

And whereas, The heirs of said David and Mary Hummel, as well as the trustees of the said German Lutheran church, are desirous that some proper person be authorized to collect such of said ground rents as may, at any time, be in arrears; and that said ground rents may be sold, and the proceeds thereof divided among the persons legally entitled thereto; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

Authorized to collect arrearages and sell certain ground rents.

That George T. Hummel, of said town of Hummelstown, be and he is hereby authorized to collect such, or so much, of any such ground rents, as are now, or may, at any time, be in arrears; and to sell, and convey, at public, or private, sale, the said ground rents, in the said lots, mentioned in the preamble hereto, and to give receipts and acquittances, and make deeds and assurances, for the same, to the purchaser, or purchasers, his, or their, heirs and assigns: *Provided*, That before the said George T. Hummel shall proceed to execute the power and authority

To give security for the faithful distribution of proceeds.

hereby conferred upon him, he shall give security, to be approved by the orphans' court of Dauphin county, for the faithful distribution of the proceeds of the sale of said ground rents to, and among, the persons legally entitled thereto; which distribution shall be made under the direction, and subject to the control, and according to the course of procedure, of said orphans' court. Subject to.

SECTION 2. That in case said George T. Hummel should, from any cause, fail to execute the power, hereinabove conferred upon him, the said orphans' court are hereby authorized, on the application of any person interested in said ground rents, to appoint a trustee to execute said powers, in the manner provided, and subject to the conditions prescribed, in the preceding section of this act. Court may appoint a trustee, in case of failure of George T. Hummel to act.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 503.

An Act

To incorporate the Venango Oil Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Jonathan Watson, William H. Abbott, A. B. Funk, Hamilton M'Clintock, George H. Bissell, L. Haldeman, W. A. Shreeve, M. L. Bagg, Samuel Q. Brown and H. M. Hamilton, or a majority of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, under the name, style and title of the Venango Oil Company; and the said company is hereby declared, and made, capable in law, to sue and be sued, to plead and be impleaded, to have a common seal, and to have all the other rights, powers and privileges of a corporation. Commissioners. Style. Privileges.

SECTION 2. That the capital stock of the said company shall consist of two thousand shares, of fifty dollars each; and the stockholders of the said company, at a meeting or meetings, to be called for that purpose, shall have power, from time to time, Capital stock.

to increase the said capital stock, to any amount not exceeding ten thousand shares.

Time, place and manner of receiving subscriptions to stock.

SECTION 3. That the commissioners, hereinbefore named, or a majority of them, are hereby authorized, after giving three weeks' public notice of the same, in one newspaper published at Oil City, or in two newspapers, one of which shall be published at Franklin, and the other at Titusville, to open books, in the borough of Oil City, and receive subscriptions to the capital stock of the said company, at such time, and in such manner, as they may designate, and the same to keep open, from day to day, Sundays excepted, between the hours of ten o'clock, ante meridian, and three o'clock, post meridian, of each day, until stock to the amount of at least fifty thousand dollars shall have been subscribed; and that ten per centum, of the amount subscribed, shall be paid by such subscriber, at the time of making his said subscription; and in case the same shall not be so paid, the said commissioners shall have power to declare the said subscription void; and that the balance due upon stock shall be paid at such times, and in such manner, as the board of directors may prescribe; and if any stockholder shall neglect or refuse, after thirty days' notice, to pay his said stock, the same may be sold by the directors, at public sale, after ten days' notice thereof.

When letters patent to be issued.

SECTION 4. That whenever not less than one thousand shares of stock shall have been subscribed to the capital stock aforesaid, and the one-half thereof shall have been actually paid in, in cash, the commissioners, herein named, or a majority of them, may certify the same to the governor, accompanied by a statement, containing the names of the subscribers, and the amount so subscribed and paid by each, to be filed in the office of the secretary of the commonwealth; whereupon, the governor shall issue letters patent to the said subscribers, as corporators in the said company.

Election of directors.

SECTION 5. That the affairs of the said company shall be managed by a board of five directors, one of whom shall be president, to be chosen by the said board; the election of directors shall be held annually, at such time, and after such public notice, as may be determined by said company, at the principal office of the company; and all elections shall be by ballot, and every share of stock shall be entitled to one vote; and in case of failure to hold an election, the former directors shall continue in office, until their successors shall be duly chosen; and the stockholders of the said company shall have power, at a meeting to be called for that purpose, to make all needful rules, regulations and by-laws for the transfer of stock, and the general management of the business of the said corporation.

Votes.

By-laws.

Powers.

SECTION 6. That the said company shall have the right and power to purchase, receive, transport to market, sell and make acceptances or advances upon, or shipment of, mineral oil, and all other articles connected with the production and transportation to market, of such mineral oil, and to appoint agents, and establish agencies for the purposes aforesaid, and to purchase, lease, or otherwise hold, and use, any quantity of land, not exceeding five hundred acres in all, which the said company may deem necessary, for the business aforesaid, and the

right to sell, lease, or otherwise dispose of the same and its products.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 504.

An Act

Relating to William M'Kee's ferry, in Allegheny county.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

That William M'Kee, his heirs and assigns, shall have the right and privilege to have and maintain a public steam ferry, Ferry authorized.

over the Ohio river, from West Pittsburg, in the county of Allegheny, to the city of Allegheny, and borough of Manchester, in said county, from where his present landing now is, near Saw Mill run, on the south side of said river, to his present landing; at the termination of Chartiers street, on the bank of said river, in the city of Allegheny, on the north side of said river, and the exclusive right and privilege to use said landings, and the said river, between the same, as a public ferry; Location.

and all persons are hereby prohibited from using said river for the purpose of a ferry, between the said West Pittsburg and the city of Allegheny, and the borough of Manchester, within three hundred yards above, and three hundred yards below, said ferry landings; and any person, or persons, violating the provision of this act, shall forfeit, and pay, to the said William M'Kee, his heirs, or assigns, the sum of one dollar for each and every head of cattle, horse, or carriage, traveler, or team, carried over said river, within said bounds above named, to be recovered as sums of like amount are now by law recoverable: Prohibition.

Provided, That nothing in this act shall be construed to affect, or interfere, in any way, with any of the rights, or privileges, now possessed by the city of Allegheny, or said boroughs, over their wharves, or landings: *Provided further,* That this act shall not go into effect, until the consent of the councils of the city of Allegheny be first had and obtained. Penalty.

Not to interfere with certain rights.

Consent of councils of Allegheny city necessary.

Ferry to be kept in good order.

SECTION 2. That the said William M'Kee, his heirs, and assigns, shall keep the said ferry in good order and repair, fit for the transportation and passage of travelers, teams, and

carriages, of all description, and keep good, and sufficient, boats, and competent and careful ferrymen to run the same; and the said William M'Kee, his heirs, and assigns, for keeping and maintaining said landings, and ferry, as aforesaid, shall receive compensation therefor, at the following rates, and not greater,

Rates of charges to wit: for each foot passenger, three cents; for each person, horse, or mule, five cents; for buggies, carriages, wagon, carts, and drays, with one horse, or mule, attached thereto, five cents; and for each additional horse, or mule, five cents; for horned, or neat, cattle, each, five cents; for swine, each, three cents; for sheep, each, two cents: *Provided*, That nothing in this

Not to interfere with Short's ferry landing. charter shall be so construed as to interfere with the landing, known as Short's ferry landing, on Ferry lane, in Allegheny city, or the property thereto attached; nor shall said ferry extend below Saw Mill run, on the south side of said river.

Limitation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 505.

Supplement

To an act to incorporate the Pittsburg and Birmingham Passenger Railway Company, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

Certain extension of road authorized.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburg and Birmingham Passenger Railway Company shall be permitted to extend their road from its present starting point, at the intersection of Smithfield and Fifth streets, in the city of Pittsburg, along Smithfield street to Seventh street, along Seventh street to Grant street, along Grant street to the corner of Liberty and Washington streets, subject to all the terms, conditions, limitations, and restrictions, mentioned, and contained, in the act to which this is a supplement.

May carry freight and construct additional tracks and switches for that purpose.

SECTION 2. That the Pittsburg and Birmingham Passenger Railway Company shall have full power to carry freight over their road, in cars to be drawn by horses, or mules, and to put down such additional tracks, and switches, as may be necessary for the business of carrying freight: *Provided*, The permission of the councils of the city of Pittsburg, and the boroughs on

the south side of the Monongahela river, through which, the Permission of said railway passes, be obtained, before putting down additional tracks, and switches, for freight purposes, or commencing to carry freight upon the road, within the limits of said city, or boroughs: *And provided*, That the said cities, and boroughs, shall determine the number of freight cars that shall be used, and shall regulate the manner of running the same; and that the Monongahela Bridge Company, at Pittsburg, shall have the right to bargain, and arrange, with the said Pittsburg and Birmingham Passenger Railway Company, the terms, and toll, for the use of the said bridge, either by the trip, by the car, or by the month. Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 506.

An Act

To enable the district court, of the city and county of Philadelphia, to quash the writ of sequestration now existing against the Hestonville, Mantua, and Fairmount Passenger Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That upon the application of a majority, in amount, of the creditors of the Hestonville, Mantua, and Fairmount Passenger Railroad Company, against which a writ of sequestration has issued, under the provisions of the act of June sixteenth, one thousand eight hundred and thirty-six, other than mortgagees, or bondholders, whose claims are secured by mortgage, or the specific lien, upon the property of the said corporation, it shall be lawful for the said district court, if, in their judgment, it shall be for the interest of the majority of the creditors, as aforesaid, to make an order, quashing said writ of sequestration, and restoring, to the said corporation, the control and management of its property, and the receipts of its rents, issues, and profits; and the said court may make the like order, upon the application of less than a majority, in amount, of the creditors, as aforesaid: *Provided*, Due notice be first given, by publication, to all the creditors of said corporation, other than

LAWS OF PENNSYLVANIA,

mortgagees, and bondholders, as aforesaid, of the said application.

SECTION 2. That the quashing of said writ, as aforesaid, shall not extend to prevent the sequestrator from filing and settling his accounts, but immediately upon the quashing of said writ, he shall file his account, and upon final confirmation of the same, the court may order his discharge: *Provided*, That nothing herein contained shall be construed to prevent the appointment of a sequestrator, upon any application hereafter made.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 507.

An Act

To vacate a portion of Kingsessing avenue, in the Twenty-Fourth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Kingsessing avenue, between Forty-Fourth street, and a street formerly called Beckett street, in the Twenty-Fourth ward of the city of Philadelphia, as laid down on the plan of said city, and not opened, be and the same is hereby vacated; and that Beckett street, aforesaid, shall be continued westward, from Forty-Second street to Forty-Fourth street, at right angles, to said Forty-Second street, as laid out on a certain plan, and dedication to public use, of said Beckett street, dated the twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-one, and recorded at Philadelphia, in Deed Book G W C, number ninety-one, page two hundred and fifty, et cetera.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 508.

An Act

To incorporate the Philadelphia Dental College.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Richard Newton, D. D., R. Shelton Mackenzie, D. C. L. **Corporators.** Lewis, D. Harlow, M. D., William Dulty, Peter Rothermel, George I. Ziegler, George Williams, Colson Heiskell, Oliver Lund, John M. Maris, Robert L. M'Clellan, Henry Crumley, C. S. Beck, Thomas Wardell, and their associates, shall be a body corporate, with perpetual succession, under the name of the Philadelphia Dental College, to be located in the city of Philadelphia, and as such may sue and be sued, have a common seal, and purchase and convey real and personal estate, not exceeding, in annual income, two thousand dollars, beyond the building to be occupied by said college: *Provided,* That the said corporators shall not, at any time, be more than fifteen, nor less than ten, without vacancies being filled. **Privileges. Proviso.**

SECTION 2. That the said corporators shall have the power to fill vacancies occurring in their board, make by-laws for their own government, and that of the faculty, not contrary to the provisions of this act, the laws of this state, or of the United States, to establish a college for lectureships, and to confer the degree of doctor of dental surgery upon persons duly qualified to receive the same. **Powers of corporators.**

SECTION 3. That the said corporators shall have power to elect five, or more, professors, to constitute the faculty of said college, who shall deliver the lectures, and control the course of instruction, therein; and no degree shall be conferred, whether honorary, or upon the qualified students of the college, without the written request of said faculty. **Election of professors. Their duties.**

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 509.

An Act

Relative to the payment of the Enrolment Tax of the Pioneer Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the time for the payment of the enrolment tax on an act, entitled "An Act incorporating the Pioneer Iron Company," be extended to the period of eight years, from the date of passage; and that Benjamin Haywood, T. F. Wright, J. F. Petery, William C. Bradley, George Bright, B. T. Taylor, be additional incorporators in said bill; and that the title of said bill be changed to Palo Alto Iron Company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 510.

An Act

Relative to taking certain ground, in the city of Pittsburg, by the Pennsylvania Railroad Company.

The Penna. RR.
co. authorized
to take certain
real estate.

Assessment of
damages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That full power and authority be, and the same is hereby, given to the Pennsylvania Railroad Company, to enter in, and upon, take, use, and appropriate, for general railroad purposes, all that certain real estate, situate in the Fifth and Ninth wards, of the city of Pittsburg, and lying on the south side of Quarry and Perry streets, the same fronting on said streets, and extending southwardly therefrom, to the Manor line, and for the assessment of damages, resulting from said appropriation, to the owners and occupants thereof, the said railroad company

are hereby clothed with all the rights, powers, and privileges, granted in their charter of incorporation, and its supplements, and shall be subject to all the limitations, conditions, and restrictions, therein contained, except that the viewers, appointed by the court, under this act, shall be residents, and property owners, of the city of Pittsburg.

Viewers to be residents, and property owners, of Pittsburg.

SECTION 2. That so much of the charter of said railroad company, and its supplements, or of any other law of this commonwealth, as forbids the taking of property, for railroad purposes, used as a dwelling house, or homestead, without the consent of the owners, or occupants, thereof, is hereby repealed, so far as relates to the property described in the first section of this act.

Repeal of provision relative to taking property for railroad purposes.

SECTION 3. That if the said company shall acquire the lots fronting on both sides of Perry street, by purchase, or otherwise, that then said street be, and is hereby vacated.

Perry street may be vacated.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 511.

A Further Supplement

To the act of incorporation of the Lehigh and Delaware Water Gap Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company be and they are hereby authorized to extend their railroad from Freemansburg, in Northampton county, to Allentown, and Catasauqua, in Lehigh county: *Provided,* That the extension, hereby authorized, shall not be completed until that portion of the road, between Easton and Freemansburg, is completed; a bridge is constructed across the Lehigh river, at Freemansburg, and a connection made with the Iron Hill branch of the North Pennsylvania railroad, as contemplated by the act of incorporation, to which this is a supplement: *Provided further, however,* That the said company shall have the privilege of erecting a bridge at, or near, Bethlehem, (or of using the bridge of any other corporation, with their consent,) and thereby connecting with the main branch of the North Pennsylvania railroad, if they shall deem

expedient, in lieu of the aforesaid bridge, at Freemansburg, and of the said connection with the Iron Hill branch of said North Pennsylvania railroad: *Provided further*, That no part of the said extension, of said railroad, shall approach within ten feet of the canal of the Lehigh Coal and Navigation Company, along the valley of the Lehigh, except in crossing the canal of said company, with bridge-ways, which, in all cases, shall be constructed of a height, at least equal to that of bridges constructed by said company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 512.

An Act

To consolidate and fund the debt of the borough of Scranton.

Board of loan
commissioners
constituted.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Joseph Chase, John H. Sutphin, George Fuller, Thomas J. Walsh and Christian Robinson, of the borough of Scranton, Luzerne county, be and they are hereby appointed, and constituted, a board of loan commissioners, for said borough, and as such shall continue to perform the duties required of them by this act, without compensation, so long as required, to accomplish its true intent and object.

Organization.

SECTION 2. That the said commissioners shall, within four weeks from the passage of this act, organize, by the election of one their number president, and another secretary and treasurer; and in case of a vacancy in said board, by reason of resignation, death, refusal to act, or otherwise, said commissioners shall have power to elect another, or other persons, citizens of said borough, to fill such vacancy; said commissioners, before entering upon the duties of their office, shall be sworn, or affirmed, to perform the same, as required by this act, with fidelity.

Vacancies.

Oath.

To make a list
of holders, num-
ber and amount
of borough
bonds, and as-
certain entire
amount of debt.

SECTION 3. That it shall be the duty of said commissioners, immediately after their organization, to ascertain the names, and residences, of all persons who are holders of the bonds, heretofore issued by said borough, and keep a correct list of the same, and the number, and amount, of each bond, and also to

ascertain the amount of debt of said borough, of any, and all other, kinds, created for any purpose whatsoever, and by whom such debts are held, and cause a correct account, and entry, to be made of the same; said commissioners shall require their secretary to give notice, by publication, in one, or more, newspapers, published in the county of Luzerne, and such other notice as they think necessary, for at least four weeks, requiring all persons, holding any of said bonds, or any other form, or kind, of debt, or money obligation, against said borough, to give information of the same, to said secretary, within at least sixty days from the date of the first publication of said notice, or on the giving of personal, or other, notice, or be debarred the benefits of this act.

Secretary to give notice, requiring all persons, within a certain time, to inform board of bonds, &c., held.

SECTION 4. That said commissioners, as soon as they shall ascertain the amount of the entire debt of said borough, of all kinds, and for all purposes, whatsoever, are hereby authorized, and required, to make a loan for said borough, not exceeding, in amount, the total of said debt, and to issue bonds therefor, payable in not less than fifteen, nor exceeding twenty, years; said bonds to have interest coupons attached, for the payment of six per centum interest per annum, payable semi-annually; said bonds shall state that they are issued by the loan commissioners of the borough of Scranton, in pursuance of this act.

Authorized to make a loan for entire debt, and issue bonds, with coupons, therefor.

SECTION 5. That the bonds, herein authorized, shall be signed by the president of said board of commissioners, attested by the secretary, with the seal of said borough attached; the coupons may be signed by the secretary only.

Bonds to be signed by president, &c.

SECTION 6. That said commissioners are authorized, either to invite proposals for said loan, and with the proceeds of the loan thus made, extinguish the whole, or any portion, of the debt of said borough, or to fund the whole, or any portion, of said debt, and in lieu thereof, issue therefor, the bonds herein authorized, and in this manner retire and cancel said debt, and all of the bonds heretofore issued by said borough, that may be retired as aforesaid: *Provided*, Said loan shall not be negotiated, or the bonds, herein authorized, disposed of, for a less sum than par value: *And provided also*, That no bond shall be issued for a less sum than one hundred dollars.

Proposals for loan may be invited, or the debt funded and bonds issued.

Proviso.

Proviso.

SECTION 7. That it shall be the duty of the treasurer, herein authorized to be appointed, by said commissioners, to collect the taxes that shall be levied, in pursuance of this act, and from the fund arising therefrom, pay said interest coupons, when due, upon presentation, to keep an accurate account of the money collected and disbursed by him, also a register of the bonds herein authorized, and make report of the condition of his account to said commissioners, whenever required by them.

Duties of treasurer.

SECTION 8. That said commissioners are hereby authorized, and required, to procure, annually, from the assessor of said borough, or from the assessment returned by him, to the county commissioners, an accurate list of all the taxables of said borough, and their valuation, and therefrom, shall levy a special tax, sufficient to pay the annual interest on the bonds herein authorized; and also, a uniform special tax, annually, which will produce a sum sufficient to pay the principal of the loan, herein

Taxes to be levied.

Assessment and collection of.

authorized, when the same shall become due and payable; and said commissioners shall make out a duplicate, for the collection of said taxes, with their warrant, to said treasurer, for the collection of the same; and said treasurer shall have and possess all the authority, and be subject to all the liabilities, to enforce the collection of said taxes, as, by the laws of this commonwealth, are applied to collectors of county taxes.

Treasurer to give notice of appeals, &c.

SECTION 9. That when said duplicate shall be prepared, said treasurer shall give at least ten days' notice, in one or more newspapers, published in said borough, of the place where said duplicate can be inspected, and of the time and place for the hearing of appeals, by said commissioners, who are authorized to make such corrections, allowances, and exonerations as to them shall seem proper and just.

Commissioners to notify burgess and council when the loan is made.

SECTION 10. That as soon as the loan, herein authorized, is made and completed, notice of the same shall be given, by said commissioners, to the burgess and common council of said borough, and thereafter, said burgess and council are hereby prohibited from contracting any debt or debts, exceeding the amount of the duplicate for borough taxes, deducting, therefrom, an allowance for exonerations and abatements, equal to that of the year preceding; nor shall any contract, or any agreement, that may require the payment of money, be made in anticipation of the duplicate for borough taxes, of a subsequent year.

Orders upon the treasurer, relative to.

SECTION 11. That from and after the said notice given to said burgess and council, it shall be unlawful for them to give, or issue, any borough order, check, or other written or printed demand on the treasurer of said borough, for the payment of money, unless, at the time of giving or issuing the same, there is money in the treasury, applicable to the payment of the same; and to enable the said burgess and council to be informed, at all times, of the balance in the treasury, it shall be the duty of said treasurer to make report, monthly, to them, of the cash balance in his hands, at the commencement of the preceding month, together with all receipts and expenditures during the month.

Treasurer to make monthly reports to council.

Collector of taxes and treasurer of commissioners to give bonds.

SECTION 12. That before the collector of said borough taxes, for said borough, or the treasurer of said commissioners, shall be qualified to enter upon the duties of his office, he shall enter into a bond, with at least two sureties, the first to be approved by the burgess and council, and the second by said commissioners, whose freehold estate shall be equal, in value, to twice the amount of their respective duplicates, conditioned for the faithful performance of their duties, as required by the laws of this commonwealth.

Sinking fund to be created.

SECTION 13. That said commissioners are hereby required to create a sinking fund, for the special purpose of the payment of the loan, herein authorized; and the money arising from the special tax, herein authorized, for that purpose, shall be paid into said fund, and invested in the purchase of the bonds authorized by this act, which, when purchased, shall be immediately cancelled; and in case of their inability to purchase said bonds, shall invest said money in any other good interest-bearing securities, to be applied, together with any balance

Purpose of.

Purchase and cancellation of bonds.

that may be in said fund, to the final extinguishment of said loan : *Provided*, No bond, authorized to be issued by this act, *Proviso*. shall be purchased at a rate above par.

SECTION 14. That all negotiations and contracts, for the purchase of bonds, or other securities, authorized by the thirteenth section of this act, shall be made only by the president of said commissioners, as authorized by them ; and no money shall be paid, by the treasurer of said commissioners, from the sinking fund, unless upon the warrant of said president, countersigned by at least two other of the commissioners.

Contracts for purchase of bonds.
Payments from sinking fund.

SECTION 15. That said commissioners are authorized, if, in their judgment, the interest of the said borough requires it, to cause a legal investigation to be made, of any existing debt, obligation, or bond, of said borough, for the payment of money, if, in their opinion, they were made without authority of law, fraudulently, or without consideration, or to prohibit the payment of the same, until required by the judgment of the proper court ; and upon notice being given of such prohibition, to the burgess, and council, of said borough, payment shall be stayed, until a judicial decision is made, requiring payment, or until such prohibition is withdrawn by said commissioners.

Commissioners may cause investigation to be made of any debt, &c., or prohibit payment.

SECTION 16. That said commissioners are authorized to allow reasonable compensation to their secretary, and treasurer, in addition to the usual commission allowed by law for the collection of taxes ; said compensation, and all other necessary expenses, which said commissioners shall be subjected to, in the discharge of their duties, except commissions for the collection of taxes, shall be paid out of the treasury of said borough ; and said burgess and council are hereby required to issue their warrant for the payment of the same, upon presentation of a proper account, duly certified as correct, by the president and secretary of said commissioners.

Compensation of secretary and treasurer, &c., how to be paid.

SECTION 17. That said commissioners shall, at least once a year, and as often as they think proper, surrender, to the burgess, and council, of said borough, having first cancelled the same, all evidence of debt against said borough, by orders, checks, bonds, or otherwise, which shall have been paid, or retired by them, as required by this act ; and said burgess, and council, upon the surrender to them, of the evidence of debt, as aforesaid, shall give, to said commissioners, a receipt for the same, signed by said burgess, and attested by the secretary of the council.

Commissioners to surrender to council bonds, &c., cancelled, and take receipt therefor.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 513.

An Act

To incorporate the Grain Elevator Company of Pittsburg.

Commissioners.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i></p> <p>That William McCreary, Springer Harbaugh, John Scott, Joshua Rhoades, Thomas Moore, Daniel Wallace, William Bingham, John B. Canfield, R. T. Kennedy, J. S. Liggett, W. H. Barnes, William Bagaley, Thomas Bell, and Lyman Wilmarth, and their associates, successors and assigns, be and they are hereby constituted a body corporate, and politic, by the</p>
Title. Objects.	<p>name, style and title, of the Pittsburg Grain Elevator Company, for the purpose of erecting, and maintaining, in the city of Pittsburg, Pennsylvania, all the necessary machinery, et cetera, to load, and unload, ship, and re-ship, grain, produce, et cetera, and to carry on the business of receiving, loading, unloading, shipping and forwarding, grain, produce, and all things usual, and incident, to such business; and the said corporation, by the said name, is hereby made capable, in law, to sue and be sued, plead, and be impleaded, to have a common seal, and the same to alter, and renew, at pleasure; to make rules, and by-laws, for the regulation, and management, of said corporation: <i>Provided</i>, They are not inconsistent with the constitution, and laws, of the United States, or of this commonwealth; and, generally, do, and execute, for the benefit of said company, whatever shall, lawfully, pertain to such bodies politic.</p>
Privileges.	
By-laws.	
Proviso.	
Authorized to lease or pur- chase real estate	<p>SECTION 2. The said company shall have the right to hold, by purchase, lease, or in any other manner, such real estate as may be needed for the erection of the buildings, machinery, et cetera, and for the transaction of the business of the corporation.</p>
Capital stock.	<p>SECTION 3. The capital stock of said company shall consist of two hundred thousand dollars, and shall be divided into shares of fifty dollars each, which shall be assignable, and transferable, according to such rules as the board of directors shall establish.</p>
When letters patent to be is- sued.	<p>SECTION 4. Whenever a majority of the corporators, recited in section first, shall certify, to the governor, that one-half of the shares of stock have been subscribed, the governor shall issue letters patent, under his hand, and the seal of state, creating and erecting the said corporators, or such of them as shall be stockholders, their associates, successors and assigns, into one body corporate, by the name and style, for the purposes, and within the powers, herein recited.</p>
First election of directors.	<p>SECTION 5. The affairs of the company shall be managed by seven directors, to be chosen annually, by, and from, the stockholders; the first election shall be held in the city of Pittsburg, within sixty days, after the letters patent shall have been</p>

issued; of which election, public notice shall be given, by at least five of the corporators, named in the first section of this act, in one, or more, daily newspapers in said city, at least thirty days prior thereto; and the subsequent elections shall be held, annually, at such convenient time, and place, as the directors shall determine; of which, thirty days' previous notice shall, in like manner, be given, by any officer of the company: *Provided*, That in the event of a failure to hold an election, the directors, at the time, shall continue in office, until an election is held.

SECTION 6. The directors shall, as soon as convenient, after their election, choose one of their number to be president; for one year; they shall, also, select such other officers as they may deem of advantage to the company, and its business; they shall, also, have power to fill all vacancies that may occur in their number, until the next annual election.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 514.

An Act

Relating to proceedings in cases of partition in equity.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever a bill has been, or shall hereafter be, filed in any court, having equitable jurisdiction in cases of partition, and the master, or the masters, and commissioners, to whom the proceedings have been, or may be, referred, have reported, or shall hereafter report, that the lands, or tenements, cannot be divided without prejudice to, or spoiling, the whole, and the parties have refused, or shall hereafter refuse, to take the same at the valuation, then it shall be the duty of the said court to order the master to make sale thereof, at public auction, giving the like notice that is required, in sales under proceedings in partition, in the common law courts.

SECTION 2. The master, to whom the said order shall be directed, shall make return of the sale to the court wherein the said order was issued, and if the same shall be approved, the court shall make an order, or decree, directing the master to

make a deed of the property, sold, to the purchaser, or purchasers, upon the purchase money being paid, or secured to be paid, according to the terms of the sale; and before the said deed shall be made, and delivered, and before the purchase money, or securities, shall be received by the said master, he shall give bond to the commonwealth, for the use of the parties interested, in such sum as the court may direct, for the due payment, and faithful application, of the proceeds of the sale, to be received by him; and it shall be the duty of the said master to make distribution thereof, amongst the several parties thereof, and report the same to the court aforesaid: *Provided*, That all cases now pending shall come within the provisions of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 515.

An Act

Providing for the military board of claims.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the state treasurer is hereby required to pay each of the members of the board of military claims, created by the act of sixteenth day of April, one thousand eight hundred and sixty-two, for services under said act, the sum of fifty dollars per month, to be computed from the twenty-fourth day of April, one thousand eight hundred and sixty-two, the date of organization of said board, and also, the sum of twenty-five dollars per month, as increased salary to a clerk to said board, from the adjutant general's department, to be computed from the same date.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 516.

An Act

To incorporate the Western Insurance and Transportation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Ezra S. Williamson, William H. Barnes, James R. Johnston, H. W. Brown, R. W. Smythe, William P. Shinn, William P. Sterrett, John N. Miller, James D. Mackin, or any five of them, are hereby appointed commissioners, to open books of subscription, and organize a company, by the name, style, and title, of the Western Insurance and Transportation Company, with power to change the same, at pleasure; shall have, so far as is not inconsistent with the provisions of this act, all the rights, powers, privileges, and franchises, conferred, and be subject to the restrictions imposed, by the first, second, third, fourth, fifth, sixth, seventh, ninth, tenth, and seventeenth, sections of an act to provide for the incorporation of insurance companies, approved the second day of March, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks, designated in the first class, of the seventh section of said act, and transact its business, upon the joint stock principle, and shall have the right to engage in the business of transportation, of all descriptions of property, between any points, or places; for which purpose, said corporation shall have the necessary power to make contracts with owners, or shippers, of freight, and issue bills of lading, or receipts, in conformity therewith, and shall have power to hire, lease, purchase, use, and control, and dispose of, at pleasure, easements, chattel, property, tools, means, or ways, of transportation, with which, efficiently, to transport property, between the points aforesaid.

Commissioners.

Name.

Powers and
privileges.

SECTION 2. That the affairs of the company shall be managed by a board of seven directors, to be elected on the fourth Wednesday of July, of each and every year, of which elections, ten days' notice shall be given, by the secretary, in two newspapers, published in the city of Philadelphia; but no failure to elect directors, at the time named, shall work a non-user, but those in office shall continue, until others are duly chosen; the first board of directors shall be elected, so soon as two thousand shares shall be subscribed for, and five dollars on each share, thus subscribed, paid to the commissioners; and within thirty days thereafter, the board shall organize, by electing a president, from their own number, and a secretary, and treasurer; and said board shall cause a certificate to be made, under the corporate seal of said company, attested by the president, and secretary, specifying the date of the organization, the names of the directors, and officers, the name of

Election of di-
rectors.

Notice.

When first elec-
tion to be held.

Organization.

Certificate to be
filed in office of
secretary of
commonwealth.

the corporation, and the location of the office of the company, and transmit said certificate to the secretary of the commonwealth, at Harrisburg, to be filed in his office; and a certified copy thereof shall be evidence of the existence of said corporation, and of its formation, pursuant to this act.

Capital stock.

SECTION 3. That the capital stock of said company shall consist of four thousand shares, of fifty dollars each, to be paid in such instalments as the directors may determine; and the persons holding said stock shall be entitled to one vote, for each share of stock held by them, and may vote, either in person, or by proxy; and a majority of the stockholders, convened for that purpose, on ten days' notice, published in two daily papers, in the city of Philadelphia, may increase the capital stock to eight thousand shares, to be paid in such instalments as the directors may determine.

Votes.

Dividends.

SECTION 4. That the directors shall declare dividends, annually, or oftener, out of the net profit of the business of the company, and pay the same to the stockholders; but they shall, in no case, exceed the net profit, actually made, and acquired, after deducting all losses, and expenses; and if the directors shall declare, and pay, any dividends, by which the capital stock shall be impaired, they shall be jointly, and severally, liable, for so much of said capital stock as may be thus impaired; which shall be recoverable, by any party aggrieved, or injured, in any action of debt, recoverable as in other cases.

Directors liable for excess of dividend over net profits.

Bonus and taxes on dividends.

SECTION 5. That the corporation shall pay, into the treasury of the commonwealth, a bonus of one-half of one per centum, on the capital stock authorized, in two equal, annual instalments, and a like per centum on the increased capital stock, at the time such increase is made; and the said company shall, also, pay such taxes on dividends, as may, hereafter, be provided by any general law, taxing dividends, on like corporations; and the stockholders shall be individually liable, for all debts due mechanics, workmen and laborers, employed by said company, to be sued for, and collected, as is provided in the twelfth, thirteenth, and fourteenth sections of an act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

Individual liability.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 517.

An Act

Relative to the term of office of School Directors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the term of office of school directors, from and after the first of January, Anno Domini one thousand eight hundred and sixty-four, shall commence on the first of Monday of June, in each and every year: *Provided,* That the term of office of school directors, now in office, shall, severally, be extended until the first Monday of June, of the year, in which their term of office expires: *And provided further,* The organization of each board of school directors, as provided by the twelfth section of the act of the eighth of May, one thousand eight hundred and fifty-four, shall be within ten days of the first Monday of June, in each year: *And provided further,* That the school tax, for each year, shall not be levied until after such organization, and before the first of July, of each year: *Provided,* That the provisions of this act shall not extend to the city of Philadelphia, nor to the county of Allegheny, nor to the cities of Reading and Lancaster.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 518.

An Act

To incorporate the Garment Cutters' Association of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William R. Rudduck, Samuel C. Paris, John Fredericks, E. Bacon, William S. Sandy, John Hobson, John Broderick,

Title.	Augustus Trimble and Samuel Ridgway, and their associates, are hereby created a body politic and corporate, in deed and in law, by the name, style and title of the Garment Cutters' Association of Philadelphia, and by the same names shall have perpetual succession, be capable of suing and be sued, to have a common seal, and the same to alter, or renew, at pleasure; and shall be able and capable, in law, and in equity, to take, and hold, for the use of said association, any real estate, goods, or chattels, and sum, or sums, of money, by gift, grant, bargain, sale, will, devise, or bequest, or otherwise, from any person, or persons, themselves capable of making the same, and the same to grant, bargain, sell, and a good conveyance make, for the use of said association, and generally do all, and singular, the matters and things which may be lawful, and necessary, for the well being.
Privileges.	and due management, of the affairs thereof: <i>Provided</i> , That the clear yearly value, or income, of the real and personal estate of said corporation, shall not exceed the sum of one hundred thousand dollars.
Income.	
Membership.	SECTION 2. That this corporation shall consist of such persons as are now members, or shall be hereafter admitted as such, agreeably to the by-laws of the said association.
Management.	SECTION 3. That the affairs of said Garment Cutters' Association shall be conducted by a board of managers, which shall consist of a president, vice-president, recording secretary, corresponding secretary, treasurer, and twelve directors, seven members of which board shall form a quorum, for the transaction of business, who shall be chosen annually, by the association, at an election to be held on the first Tuesday of February, of each and every year, and shall continue in office for one year, or until their successors may organize, and take office.
Election of officers.	
Vacancies.	SECTION 4. That in case of death, resignation, or any other event causing vacancy, in the office of any member of said board of management, the remaining members thereof shall have power to fill such vacancy, until the occurrence of the next annual election.
Funds, how to be raised and appropriated.	SECTION 5. That the funds of this association shall be raised by the sale of stock, and monthly dues, and initiation fees, of members, and other lawful means, and shall be appropriated, by the directors, in such manner as may appear to them most conducive to the interests of the association.
By-laws.	SECTION 6. That the association shall have full power, at any general meeting of the members and stockholders, to make such by-laws as may be deemed necessary for the better regulation of the association: <i>Provided</i> , Such by-laws are not repugnant to, nor inconsistent with, the constitution and laws of this state, or of the United States.
Proviso.	
Present directors and treasurer to continue until election.	SECTION 7. That the directors and treasurer, at present in office, shall be, and remain, so until the first Tuesday in February next, and until their successors are duly organized.
Meetings.	SECTION 8. That a general meeting of the members and stockholders of the association shall be held monthly, (annually,) on the first Tuesday in each month; at which, the board of management, in answer to the call of twelve stockholders, made one month previous, shall produce a statement of the affairs of the association, for the preceding term of their office, and
Statements to be made by managers.	

such other business may be transacted, as shall relate to the general interest of the association.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 519.

An Act

To change the place of holding the elections in certain townships, in Dauphin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, hereafter, the qualified voters of Upper Paxton township, Dauphin county, shall hold their general, special and township elections, at the house of J. G. Yager, in the borough of Millersburg, in Dauphin county, and all law, in conflict herewith, be and the same is hereby repealed; and that the general, special and township elections, in the township of Lower Paxton, Dauphin county, shall hereafter be held at the school house, in the village of Linglestown.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three

A. G. CURTIN.

No. 520.

An Act

To release the county of Potter, from the payment of a certain judgment,
in favor of the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the county of Potter is hereby discharged and released from the payment of a certain judgment, in favor of the commonwealth of Pennsylvania, against the said county of Potter, said judgment being number one hundred and thirty-five, June term, Anno Domini one thousand eight hundred and fifty-six, in the common pleas of said county; and said county of Potter is hereby released and discharged from the payment of judgment number seventy, September term, one thousand eight hundred and sixty-two, said last mentioned judgment being entered upon a *scire facias*, to revive the judgment last before mentioned.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 521.

An Act

Declaring Trout run and Spring run public highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That from and after the passage of this act, Trout run is hereby declared a public highway, from its mouth, to the mouth of Spring run, and that Spring run, is hereby declared a public highway, from its junction with Trout run, up to the Spring run mills, now owned by H. W. Earley, L. D. Brewster and

Charles St. John, in the township of Jay, in the county of Elk; and all dams erected, or hereafter to be erected, shall have schutes, so constructed, as to allow the free passage of lumber, timber and logs.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 522.

An Act

To prevent vexatious attachments, and to regulate the costs thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where, in any attachment, execution, or *scire facias* on foreign attachment, issued out of any court of record in this state, the garnishee, after issue joined therein, shall be found to have in his possession, or control, no real or personal property of the defendant, nor to owe him any debt, other than such property, or debts, as shall have been already admitted by the plea or answers of the garnishee, or in case, without going to trial, the plaintiff shall take judgment against the garnishee, for what shall be so admitted in his plea or answer, then, and in either such case, the garnishee shall be entitled, in addition to the costs already allowed by law, to a reasonable counsel fee, out of the property in his or their hands, to be determined and taxed, in case of dispute, by the court, or by some person appointed for that purpose.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 523.

A Further Supplement

To an act, entitled "An Act relating to Allegheny county," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, and the supplement thereto, approved the eight day of April, Anno Domini one thousand eight hundred and sixty-two.

Certain provisions, relative to the enforcement of taxes upon unseated lands, repealed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the twenty-fourth and twenty-fifth sections, of the act approved May first, Anno Domini one thousand eight hundred and sixty-one, as provides a peculiar system for the return of uncollected taxes, and the subsequent proceedings, by *scire facias*, to enforce the payment of the same, in Allegheny county, be and the same are hereby repealed, and that the general laws of the state, in regard to the enforcement of taxes upon unseated lands, be and the same are hereby revived and continued in full force in said county.

Compensation of physician to county jail.

SECTION 2. That the eleventh section of the supplementary act, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-two, be so amended, as to provide, that the physician to the county jail, shall receive any amount agreed upon, not exceeding six hundred dollars.

Official term of county controller.

SECTION 3. That hereafter, the controller of Allegheny county shall enter upon the duties of his office, on the first day of February, succeeding the time of his election, and that the term of the present controller, is hereby extended from December first, Anno Domini one thousand eight hundred and sixty-five, to the first day of February, Anno Domini one thousand eight hundred and sixty-six.

The eighth section of original act repealed.

SECTION 4. That the eighth section of the act, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-two, to which this is a supplement, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 524.

A Supplement

To an act relating to the liens of mechanics, and others, upon buildings, approved the sixteenth of June, one thousand eight hundred and thirty-six.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supplement to the act relating to liens of mechanics, and others, upon buildings, approved the sixteenth of June, one thousand eight hundred and thirty-six, approved the first day of May, one thousand eight hundred and sixty-one, be and the same is hereby extended to the county of Huntingdon: *Provided*, That nothing in this act shall render property liable to liens for repairs, alterations, or additions, where the same has been altered by any lessee, or tenant, without the written consent of the owner, or owners, or reputed owner, or owners, or his, or her, duly authorized agent: *Provided further*, That the lien for repairs, authorized by this act, shall not have priority over any lien entered before the commencement of such repairs.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 525.

An Act

To provide for the adjudication and payment of claims arising from the loss of horses, and other property, taken, or destroyed, in the border counties by the rebels, in October, Anno Domini one thousand eight hundred and sixty-two, and for property and horses impressed for the use of the military of the State, in September, one thousand eight hundred and sixty-two.

WHEREAS, The rebels, under the command of Gen. Stuart, did, on the tenth and eleventh days of October, Anno Domini

Preamble.

one thousand eight hundred and sixty-two, make a raid through the counties of Franklin and Adams, in this state, taking with them a large number of horses, and either taking, or destroying, other property, belonging to loyal citizens of this state:

And whereas, A large number of horses were left in the possession of the citizens of said counties, which were afterwards taken by the national authorities; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

Court of common pleas of Dauphin county to appoint three appraisers Their duties.

That the court of common pleas, of Dauphin county, is hereby authorized, and directed, to appoint three competent, and disinterested, appraisers, who, after being duly sworn, or affirmed, shall proceed to examine, and ascertain, the losses, and damages, sustained by citizens of this commonwealth, by reason of the occupancy of, and trespass upon, their lands, by any part of the militia force, which was called into active service in the month of September, Anno Domini eighteen hundred and sixty-two, for the purpose of defending the southern border of the state; also, to examine, and ascertain, the losses, and damages, sustained by citizens of this state, by reason of the impressment of their horses, wagons, teams, forage, printing, and other property, into the service of the United States, for the use of the Anderson Cavalry, in the month of September, Anno Domini one thousand eight hundred and sixty-two; also, to examine, and ascertain, the losses, and damages, sustained by citizens on the southern border of this state, by reason of the rebel raid, under General Stuart, on the tenth and eleventh days of October, Anno Domini one thousand eight hundred and sixty-two; and after ascertaining the losses, and damages, sustained by individuals, in each of the cases above designated, they shall report the same, with all the testimony, to said court.

Court to review report and certify to governor. Governor to make claim from the general government, and in case of failure to secure payment, to report to the Legislature.

Appraisers may administer oaths. Their compensation. Notice to attorney general.

SECTION 2. That the court of common pleas, aforesaid, on the receipt thereof, is hereby directed to review, affirm, revise, or set aside, the same, in whole, or any part thereof, and certify the same to the governor of this commonwealth, who is directed to make claim, for the amount of losses and damages, therein specified, from the general government; and should he fail to secure payment of the same, or any part thereof, then he is directed to report the same to the next legislature, recommending such action as he may deem just and proper.

SECTION 3. That the said appraisers shall have power to administer oaths, and affirmations, and shall each receive, as compensation for their services, four dollars per diem: *Provided,* That the attorney general shall have ten days' notice of the time and place of appointing the appraisers, authorized by this act.

JOHN CESSNA,

Speaker of the House of Representatives

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 526

A Supplement

To the act to consolidate, revise, and amend, the penal laws of this Commonwealth, approved the thirty-first day of March, one thousand eight hundred and sixty.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

That the one hundred and twenty-fourth section of the act to which this is a supplement, shall also extend to, and include, any guardian, or guardians, of a minor child, or children, appointed by the orphans' court of the respective counties, in the same manner as executors, administrators, and assignees. Certain section extended to guardians of children.

SECTION 2. If any person shall, in the day time, break, and enter, any dwelling house, shop, warehouse, store, mill, barn, stable, out house, or other building, or wilfully and maliciously, either by day, or by night, with, or without, breaking, enter the same, with intent to commit any felony, whatever, therein, the person so offending shall be guilty of felony, and on conviction, be sentenced to pay a fine, not exceeding five hundred dollars, and to undergo an imprisonment, by separate, or solitary, confinement at labor, not exceeding four years. Penalty for entering a dwelling house, &c., in day time, to commit a felony.

JOHN CESSNA,

Speaker of the House of Representatives.

• GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 527.

An Act

Relating to returns by collectors of taxes upon unseated lands, in the county of Potter.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

That it shall be lawful for the commissioners of Potter county, and they are hereby required, to receive, at any time, for sixty days after the passage of this act, from any collector of taxes, in said county, or the proper officer of any school district, who has omitted to make return of unseated lands, or lots, as now required by law, such lists of unseated lands, or lots, in their respective townships, upon which either the state, county, school, or school building, or road, taxes, for the years one thousand eight hundred and sixty-one, and sixty-two, remain due and unpaid, to be received in like manner, and with the same force and effect, as if the same had been returned, in pursuance of existing laws; and sales, by the the treasurer of said Potter county, if any, of such lands, or lots, for said taxes, which shall hereafter be made, in all other particulars, in conformity with the laws of this commonwealth, shall be as valid and effectual as if the said list of unseated lands, or lots, had been made within the time, and in the ordinary manner: *Provided however*, That no sale shall be made of any such lands, or lots, so returned, as aforesaid, in pursuance of the provisions of this act, before the expiration of one year from the passage of the same.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 528.

An Act

To encourage the extension of lateral railroads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any railroad company heretofore, or hereafter, authorized to build any branch, lateral, or diverging line of, railroad, or extension of such railroad, may, to encourage the construction thereof, specially mortgage any such branch, lateral, or diverging line, the road bed, and other real estate, acquired, or to be acquired, therefor, the income thereof, and the franchise, so far as they are specially applicable thereto, and may issue, plain or coupon, bonds, secured by such mortgage, and may negotiate them on such terms, as to rate of interest and

price, and place of payment, as they may deem advisable: *Provided*, That such mortgage shall not exceed fifteen thousand dollars for each mile of road it covers, and that no bond, for a less amount than one hundred dollars, shall be issued under this act: *And provided further*, That every such mortgage shall be recorded in the county, or counties, in or through which such branch, diverging, or lateral, line, is, or shall, be constructed: *And provided*, Such mortgage shall not operate against the lien of laborers, and material-men, on work, and labor done, and materials furnished in the construction of said road.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE.

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 529.

An Act

To validate certain conveyances made by married women, since the eleventh day of April, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That where any estate, in lands, tenements, hereditaments, or any property, real, or personal, has been heretofore, by any will, or other instrument, taking effect subsequent to the eleventh day of April, one thousand eight hundred and forty-eight, devised, conveyed, given to, or in any way acquired by, any married woman, to, and for, the separate use, or as her separate estate, without the intervention of a trustee, and the same shall heretofore have been conveyed, or mortgaged, by her, by any deed, or instrument, duly acknowledged by her, before any officer having authority to take acknowledgments of deeds and mortgages, and in which her husband has joined as a party, the said conveyance, or mortgage, and the estates, and interests, thereby created, shall be, and be taken to be, of like force and effect, in all respects, as if the same had been given, and executed, under, and in the due exercise of, a power authorizing such conveyance, or mortgage, contained in the instrument by which the said separate estate, of the said married woman, was created :

LAWS OF PENNSYLVANIA,

Provided, That this act shall not affect any case, heretofore finally adjudicated by the supreme court.

JOHN CESSNA,
Speaker of the House of Representatives.
GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 530.

An Act

To regulate railroad gauges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the gauge of all railroads, heretofore, or hereafter, authorized to connect with the Philadelphia and Erie railroad, and on which the track is not now, wholly, or partly, laid, shall conform to, and be, the same as the gauge of said Philadelphia and Erie railroad.

JOHN CESSNA,
Speaker of the House of Representatives.
GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 531.

An Act

Regulating licenses to eating houses in Warren borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That all licenses for the keeping of eating houses, which shall authorize the sale of domestic wines, and malt, and brewed, liquors, within the borough of Warren, Warren county, shall hereafter be granted only by the court of quarter sessions of said county, in the same manner, and subject to the same restrictions, as licenses to hotels, inns and taverns, are now granted, except that said eating houses shall be classified, and rated, as provided by existing laws.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 532.

An Act

Relative to borough elections in the county of Carbon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election for borough officers, in the several boroughs of Carbon county, shall be opened at the hour now prescribed by law, and shall continue, without interruption, or adjournment, until seven o'clock in the evening, when the polls shall be closed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 533.

An Act

To repeal an act, approved the seventeenth day of February, one thousand eight hundred and fifty-nine, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county,"

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county," be and the same is hereby repealed, so far as the same relates to the townships of Wayne and Schuylkill, in said county of Schuylkill; and that the law as existing, prior to the passage of the act, hereby repealed, as aforesaid, be and the same is hereby revived in said townships.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 534.

An Act

To enable the commissioners of Clinton county to borrow money, and for other purposes.

Preamble.

WHEREAS, Two successive grand juries, of the county of Clinton, in the state of Pennsylvania, at September and December terms, of the court of quarter sessions of the said county, for the year one thousand eight hundred and sixty, in and by their several written reports, presented to the said court, approved and filed of record, did recommend the erection of a new court house, upon such suitable lot of ground, situate on Main or Water street, in the borough of Lock Haven, east of Mill street,

and west of the canal, as should be furnished to the county, as a donation, and conveyed by a good title :

And whereas, The said recommendations, respectively contain a condition, that the cost to the county, for the erection of the said court house, is not to exceed the proceeds arising from the sale of the present court house, and grounds attached thereto, and the sum of ten thousand dollars ; and that if any additional sum should be needed, to complete the said court house, said additional sum should be guaranteed, by some responsible person or persons :

And whereas, Certain of the citizens, of the borough of Lock Haven, have signified their willingness to convey, to the said county, for the purpose aforesaid, as a donation, a suitable lot, or piece, of ground, within the limits specified, in and by, the said reports of the grand jury ; but the commissioners of the said county, considering their authority, in the premises, limited and circumscribed, by the said reports, are unwilling, without further authority, to expend, for the erection of a court house and public offices, a greater sum than that specified in the said reports, which sum is wholly inadequate for that purpose ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the commissioners of the said county of Clinton be and they are hereby authorized and directed, with the approbation of the court of quarter sessions, of the said county, to proceed to erect, and cause to be erected, upon such suitable lot, or piece of ground, in the town of Lock Haven, and within the limits prescribed by the said reports of the grand jury, as shall, within six months from the passage of this act, be conveyed to the said county, for that purpose, by a good and sufficient deed or deeds, in fee simple, clear of all encumbrances, a court house, suitable for the convenient accommodation of the courts and the several officers of the said county, and for the reception and safe keeping of the records, and other papers, in charge of such officers, and for that purpose, to expend so much of the money of said county, as may be required for that purpose, any thing in the reports of the grand jury, aforesaid, to the contrary, in anywise notwithstanding.

Commissioners, subject to approval of court, authorized to provide for the erection of a court house.

SECTION 2. That the commissioners of the said county be and they are hereby authorized and empowered, as soon after a suitable lot shall have been conveyed to the county, for the erection thereon, of a new court house, and public offices, as aforesaid, as they shall deem expedient, to sell, for the best price that can be obtained therefor, at public or private sale, as to them shall seem best and most advisable, the present court house, belonging to said county, with the lot or parcel of ground, upon which it is erected, and the appurtenances thereunto belonging, a report of which sale shall be made, by the said commissioners, to the court of quarter sessions of the said county ; and the said court, if it shall approve of said sale, shall order and direct the commissioners, of the said county, for the time being, upon payment of the purchase money, to the treasurer of the said county, to make and execute a deed, to the

Sale of present court house and grounds, by commissioners, authorized.

Court to approve.

Purchase money to be paid to treasurer, and deed executed by commissioners, when new building completed.

purchaser or purchasers, according to the terms of sale ; which deed, when executed, and delivered, shall be effectual, to vest in the purchaser, or purchasers, all the right, title and interest of the said county, in the premises so sold, and the purchase money, derived therefrom, shall go toward, and be used for, the erection of the said new court house ; but no deed shall be executed by the commissioners, in pursuance of sale, nor possession of the premises delivered, to the purchaser or purchasers, of the present court house and grounds thereunto belonging, until the purchase money be paid to the county treasurer, as aforesaid, nor until a new court house shall have been erected, as directed in, and by, the first section of this act, and so far completed, as to be ready for the accommodation of the courts and the county officers.

May borrow money and issue transferable bonds, with coupons, therefor.

SECTION 3. That for the purpose of erecting, and completing, the aforesaid new court house, in the borough of Lock Haven, it shall be lawful for the commissioners, of Clinton county, to borrow any sum of money, on the credit of the county, not exceeding twenty thousand dollars, at a rate of interest, not exceeding six per centum, and to give to the lenders thereof, transferable bonds therefor, in sums not less than one hundred, nor more than one thousand, dollars, payable in ten years, from the time of the issuing thereof, with coupons attached thereto, for the payment of the interest which shall fall due thereon, payable to the bearer thereof, half yearly, from the time of issuing said bonds.

Bonds to be signed by commissioners, &c.

SECTION 4. That the bonds, to be issued as aforesaid, shall be signed by a majority of the county commissioners, attested by their clerk, and verified by the seal of the county. and the coupons shall be signed by the clerk of the commissioners, and made payable at the county treasury ; it shall also be the duty of the county commissioners, to keep an account, on their books, of the number, date and amount, of each of said bonds, and to whom payable ; and every holder of a bond, by assignment, may, if he sees proper, have the same entered on said book, by the clerk of the commissioners ; and the said bonds, in the hands of the holders, shall at all times be clear, and discharged, from all taxes and assessments, of every kind and nature whatever, except for state purposes, and may be assigned, from time to time, by the holders thereof, by endorsement thereon.

Account of, how to be kept.

Exempt from taxation.

Assignment of.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 535.

An Act

Supplementary to an act incorporating the Western Pennsylvania Hospital.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That if any person shall apply, by petition, to any court of record of any of the counties of this commonwealth, hereinafter named, in the eighteenth section of this act, having jurisdiction of offences, punishable by imprisonment, for the term of ninety days, or longer, for the commitment, to the Western Pennsylvania hospital, of any insane person, within the county in which said court has jurisdiction, it shall be the duty of such court to inquire into the fact of insanity, in a summary way, after giving notice to the alleged lunatic, or insane person, or to his, or her, friends, or kindred, or some of them, or by awarding an inquest for that purpose, at the option of the court; and if it shall appear, to the satisfaction of said court, or if it shall be found, by such inquest, that such person is lunatic, or insane, and by reason of such insanity is unsafe to be at large, or that he, or she, is suffering any unnecessary duress, or hardship, such court shall either commit such lunatic, or insane person, to the said hospital, or if the court shall believe such insane person to be incurable, they may cause them to be confined elsewhere: *Provided*, That in all such cases, the court shall inquire, and ascertain, whether the estate of such insane person is sufficient to pay for the care, medical attendance, and maintenance of such person, such charges as the board of managers, of said hospital, may make, for pay patients, or whether the friends, or relatives, of such insane person are able, or willing, to make provision for the payment thereof, and if not, then it shall be the duty of said court to declare such insane person to be in indigent circumstances; and said court shall thereupon certify, to the managers, or to the solicitor, of said hospital, the legal settlement of such insane person, if he, or she, have any legal settlement in this commonwealth, and if he, or she, have no legal settlement, then to certify the place of residence of such insane person; which place shall then be held to be his, or her, place of settlement, and shall cause notice thereof to be given by the sheriff of the county, wherein such court is held, to the commissioners of the county, to be charged with the expenses of such insane person, and to the constituted authorities having charge of the poor, in the poor district, in such county, to which such insane person belongs, as aforesaid; and the county, wherein such indigent insane person had his, or her, place of settlement, or residence, shall be liable to said hospital for the expenses of the care, medical attendance, and maintenance, and removal to, and from, said

Courts of certain counties to inquire into fact of insanity of petitioners for commitment.

Notice to be given, or inquest awarded.

Discretion of court as to commitment.

Court to ascertain whether such persons are able to pay hospital charges, and if not, to certify the fact to managers or solicitor.

Place of residence of indigent insane to be certified, and sheriff to notify county commissioners.

County liable for all expenses.

hospital, and in case of death, of the funeral expenses of such insane person, or persons, with remedy over against the proper poor district, as hereinafter provided: *Provided further*, That the amount to be charged, for the support of such indigent person, shall not exceed the sum of two dollars and fifty cents per week, during the time they remain in said institution.

Limitation.

Courts authorized to commit to hospital insane criminals, at the expense of the respective counties.

SECTION 2. That until the legislature shall otherwise provide for the care of insane criminals, the several courts of this commonwealth, having jurisdiction in the counties mentioned in the eighteenth section of this act, respectively, shall, where any person, charged with any offence, or crime, punishable by imprisonment, or death, may have been found, in the manner provided by law, to have been insane, at the time when the offence was committed, and who still continues to be insane, and in all cases mentioned in the sixty-sixth, sixty-seventh, and sixty-eighth sections of the act of thirty-first of March, one thousand eight hundred and sixty, relative to criminal procedure, have the power to commit, to said hospital, any such insane person, or persons, for so long a time as such person, or or persons, continue to be of unsound mind, at the expense of the county where such trial, or proceedings, are had, and from which such insane person, or persons, was, or were, committed: *Provided*, That no person shall, hereafter, be committed to said hospital, under the provisions of this section; or of the sixty-sixth, sixty-seventh, or sixty-eighth sections of said act of thirty-first of March, one thousand eight hundred and sixty, or any other law of this commonwealth, who shall have been charged with homicide, arson, rape, robbery, or burglary, or who shall have attempted, or endeavored, to commit any of said offences, and who shall have been found to be insane, in the manner provided by law, unless on full examination, the jury shall find, by their verdict, that there is reason to believe that a cure of such insanity may be speedily effected, by sending such person to a lunatic hospital.

Exceptions.

County, city and township authorities may send to hospital indigent insane, under their care.

SECTION 3. That the commissioners of the several counties, hereinafter named, shall have power, to send to said hospital, any indigent insane persons under their care, or confined in the jail of their respective counties, and not awaiting trial for any offence, or crime, punishable with imprisonment, or death, provided, the physician of the said hospital shall deem them proper subjects for treatment in said hospital; the county, on sending any insane person, or persons, to be liable to pay to said hospital, all expenses of the care, medical attendance, maintenance, removal to, and from, the hospital, and in case of death, the funeral expenses of such persons; and the several constituted authorities, having charge of the poor in the respective counties, cities, townships, and poor districts, in the counties hereinafter named, shall have like power to send to said hospital such indigent insane persons, under their charge, as they may deem proper subjects; and the counties, wherein such poor districts are situate, shall be severally liable to pay the expenses of the care, medical attendance, maintenance, (not exceeding two dollars and fifty cents per week,) removal to, and from, the hospital, and, in case of death, the funeral ex-

Liability for expenses.

penses of such paupers, with remedy over against the proper poor district, as hereinafter provided.

SECTION 4. That the provisions of the first section of the act of twenty-fourth March, one thousand eight hundred and fifty-eight, relative to the transfer of insane convicts, from the Western State penitentiary to the said hospital, shall continue in full force, as if here re-enacted: *Provided*, That a duplicate, original, of the certificate, and report, with the approval of the governor thereon, shall be furnished to the solicitor of said hospital, when any such insane convicts are removed to said hospital.

Provisions relative to transfer of insane from penitentiary to continue in force.

Proviso.

SECTION 5. That it shall be lawful, in case any person shall apply to any court of record, within this commonwealth, within any of the counties hereinafter named, having jurisdiction of offences, punishable by imprisonment, for a term of ninety days, or longer, or to a judge thereof, for the commitment to said hospital, of any person alleged to be temporarily insane, by reason of the intemperate use of intoxicating drinks, for such court, or a judge thereof, to inquire, summarily, into the facts of the case, first, however, giving notice to the party so alleged to be temporarily insane; and if such court, or a judge thereof, deem it expedient so to do, to commit such person to said hospital, until such temporary fit of insanity shall be cured: *Provided*, That such applicant, or petitioner, or the friends, or relatives, of such inebriate, shall first give sufficient security, to be approved by such court, or judge, conditioned for the payment of all expenses of such proceedings, of the care, medical attendance, maintenance, removal to, and from, the hospital, and in case of death, of the funeral expenses of such inebriate; and further conditioned, to indemnify said hospital for all expenses, of any proceedings under any writ of *habeas corpus*, which may be awarded for the purpose of removing, or liberating, such inebriate from the custody of said hospital.

Commitment of inebriates, temporarily insane, relative to.

Security for expenses to be given.

Indemnity for expenses of proceeding under writ of *habeas corpus*.

SECTION 6. That in every case, where a lunatic, or insane person, has been, or shall be, committed to said hospital, under the provisions of the second section of this act, or of the sixty-sixth, sixty-seventh, or sixty-eighth sections of the act of thirty-first of March, one thousand eight hundred and sixty, referred to in said second section of this act, and in all cases, where an insane person has been, or shall be, removed, or sent to said hospital, from the Western State penitentiary, or from any jail, or prison, in this commonwealth, in the manner hereinbefore provided, or by virtue of any law of this commonwealth, it shall be lawful for the managers of said hospital, or a quorum thereof, with the aid of the principal physician of the insane department of said hospital, carefully to inquire into the case of such lunatic, and if a majority of such quorum of the board of managers, including the physician, shall be satisfied that there is no reasonable prospect of a cure of the insanity being effected, by a retention of such insane person in said hospital, they may, at the expense of the proper city, or county, as the case may be, cause him, or her, to be sent to the jail, or prison, of the proper county, or to the penitentiary, from which such insane person was sent.

Criminals, whose insanity is considered incurable by physician and managers, to be returned to the prison or penitentiary.

Indigent insane, regarded as incurable, to be returned to commissioners or other authorities.

SECTION 7. That in case of any indigent insane person, not included in the provisions of the preceding section of this act, the expense of whose care and maintenance shall, by law, be chargeable to any county, city, or poor district, of this commonwealth, and who shall be an inmate of said hospital, where a quorum of the board of managers of said hospital, including the physician of the insane department, shall be satisfied that there is no reasonable prospect of a cure being effected, by a retention of such insane person in said hospital, it shall be lawful for said hospital to return such insane person to the commissioners of the county, or to the constituted authorities, having charge of the poor in the city, township, or poor district, which may be chargeable as aforesaid.

The solicitor to notify the sheriff of cases of criminals cured.

SECTION 8. That in case the principal physician of the insane department of said hospital, after careful examination of the case of any insane person, being an inmate of said hospital, shall be satisfied that such person is cured of his, or her, insanity, it shall be the duty of such physician, with the approval of the board of managers, in case such insane person has been committed to said hospital by any court of this commonwealth, excepting in cases included in the provisions of the first and fifth sections of this act, to furnish a certificate thereof, with the original certificate of commitment, to the solicitor of said hospital, whose duty it shall be to notify the sheriff, of the proper county, to remove the said inmate of said hospital, forthwith, at the expense of such county; and thereupon, such sheriff shall remove such person to the jail of the proper county, there to be held in strict custody, subject to the further order, decree, or sentence, of the court, by which such person was committed to said hospital; and in case such sheriff shall fail, or neglect, within thirty days after such notice, to return such person from the said hospital, the physician of said hospital may proceed to return such cured person to the jail of the proper county, at the expense of such county.

Duty of sheriff.

Failure to remove, relative to.

Physician to give notice to commissioners, &c., of indigent insane cured.

SECTION 9. That in case the principal physician of the insane department of said hospital, after careful examination of the case of any insane person, who shall have been sent to the said hospital, under the provisions of the third section of this act, shall be satisfied that such person is cured of his, or her, insanity, it shall be the duty of said physician, by direction of the board of managers, to notify the commissioners of the proper county, which is chargeable with the expenses of the care and maintenance of such person, to remove such cured person from the hospital, and in case they fail so to do, within thirty days after such notice, the physician of said hospital shall proceed to send such cured person to the commissioners of said county, or to the jail, poor house, or other place, from whence they came, at the expense of such county.

Removal of.

Proceedings in case of application to court of Allegheny co. for the discharge of inmates.

SECTION 10. That on the petition of any of the friends, or relatives, of any insane person, who may now, or hereafter, be confined in said hospital, who may not have been removed to said hospital from the Western State penitentiary, or who may not have been committed to said hospital, under the provisions of the sixty-seventh section of the act of thirty-first March, one thousand eight hundred and sixty, relative to

criminal procedure, to the court of common pleas of Allegheny county, or to the president, or other law, judge, of said court, in vacation, accompanied by the oath, or affirmation, of such applicant, or applicants, that the insane person is, in their opinion, safe to be at large, it shall be lawful for said court, or a judge thereof, at their, or his, discretion, where the same may be done with safety to the community, to deliver over the person, so confined, to such friends, or relatives; but before ordering the delivery over, of such lunatic, said court, or judge, shall cause notice of such application to be served by the applicant, on the solicitor of said hospital, at least ten days before the hearing; and further, may require security to be given, in such sum as the court, or judge, may direct, in the name of the commonwealth, that such lunatic, or insane person, shall be well cared for, and shall do no injury to the person, or property, of any one, when at large, and shall not become chargeable on any county, or poor district, of this commonwealth, for, and during, such term of time as the court, or the judge, may direct.

Notice to be served on solicitor.

Security required.

SECTION 11. That whenever any insane persons are committed to said hospital, under the provisions of the second section of this act, or of the sixty-sixth, sixty-seventh, or sixty-eighth, sections of the act of thirty-first March, one thousand eight hundred and sixty, hereinbefore referred to, it shall be the duty of the court to institute the inquiries required in the first section of this act, as to the pecuniary circumstances of such insane person, or persons, and their place of legal settlement, or residence, and to give the notices, therein provided for, to the commissioners of the county, and authorities having charge of the poor, in the poor district to which such insane person belongs, by settlement, or residence, and to certify the same to the managers, or solicitor, of said hospital, as therein provided for.

Inquiries of courts, &c., as required in the first section, to be made in cases of insane criminals, and certified to managers

SECTION 12. That whenever any insane person is committed to said hospital, by any court, or transferred to said hospital from the Western State penitentiary, or sent to said hospital by the commissioners of any county, or by the constituted authorities having charge of the poor, in any city, township, or poor district, in this commonwealth, the county, where such insane person had a legal settlement, or residence, or from which, he or she was sent, or where the trial, or proceedings were had, under which, he or she was committed, or sent to said hospital, as the case may be, shall be liable to said hospital, for the expenses of his, or her, care, medical attendance, maintenance, removal to, and from, the hospital, and in case of death, for funeral expenses, as is hereinbefore, and by the laws of this commonwealth, provided; but in all such cases, the county, so chargeable, shall have remedy over against the proper township, city, or poor district, where, by existing laws, such township, city, or poor district, is liable for the support of such insane persons, where paupers, or against the property of such insane person, or against any relative, required by law to maintain him, or her; and the overseers, or guardians, of the poor, of any such township, city, or poor district, shall also have remedy over against the property of

Liability of counties for all expenses.

Counties to have remedy against the proper township, city or poor district, liable for the support of such as are paupers.

Overseers or guardians of poor may collect from property of insane, or of relatives.

such insane person, or against any relative required by law to support, or maintain, him, or her.

Mode of collection from counties, overseers or guardians of the poor.

SECTION 13. That the said hospital may ask, demand, receive and collect, from any guardian, or overseer of the poor, or any city, township, or poor district, any amount which may be due to them, for the care, maintenance, medical attendance, or other expenses, of any insane persons, with which, such guardians, or overseers of the poor, may be chargeable, without impairing their right to collect any amount due and unpaid, from the county, or counties, liable to the said hospital therefor, as aforesaid; and in all cases, where money is now due, or shall hereafter become due, to said hospital, from any township, city, poor district, or county, for the care, medical attendance, maintenance, funeral, or other expenses, of any insane person, or persons, committed, or sent, to said hospital, it shall be lawful for the solicitor of said hospital to cause a statement of the account with notice of the amount claimed to be due, and unpaid, to be served on one, or more, of the commissioners of the proper county, or of the overseers, or guardians, of the poor of the city, township, or poor district, chargeable therewith, and if the same be not paid within thirty days after such notice, and demand, it shall be lawful for the solicitor of said hospital to bring suit therefor, in the corporate name of said hospital, against any such county, city, or township, which may be indebted as aforesaid, in the court of common pleas of Allegheny county, or in the district court of said county, to collect the amount so claimed to be due, whenever such amount exceeds the sum of one hundred dollars, or otherwise; and such actions shall be entitled to like precedence as suits for claims due to the commonwealth.

Solicitor may bring suit therefor.

A certified copy of commitment to be furnished to solicitor and physician.

SECTION 14. That in all cases, where an insane person is committed to said hospital, by any court authorized so to do, a certified copy of the commitment shall be furnished to the solicitor of the hospital, and also to the principal physician of the insane department, before, or at the time when, such insane person is sent to said hospital, which shall be evidence in any suit brought by the hospital to receive the amount due for the expenses of such insane person, and no defence shall be taken by any county, township, city, or poor district, in any suit brought against them to receive the amount of such expenses, on account of any defect, or informality, in such commitment, on the record thereof, nor by reason of the failure of the court making such commitment, to give the notices, or certificates, required by the first and eleventh sections of this act.

To be evidence in suit to recover expenses.

No defence to be taken on account of informality.

Managers may return to jail those, whose expenses remain unpaid for three months.

SECTION 15. That in all cases, where any county shall be liable, as aforesaid, to the said hospital, for any amount of the expenses of any insane persons, and the amount due to said hospital, by such county, shall remain unpaid for three months after demand, and notice of the amount due, served with a statement of the account on the commissioners of such county, or a majority of them, it shall be lawful for the managers of said hospital to return, to the jail of said county, those insane persons, whose expenses are due, and remain unpaid by said county, excepting such as may have been removed to said hospital from the Western State penitentiary, and said hospital

Exceptions.

shall also have the right to collect the amount due by said county, in the manner provided in the thirteenth section of this act.

SECTION 16. That in order of admission of patients to the hospitals, recent cases shall have preference over those of long standing, and, as far as the capacity of the hospital will permit, the indigent insane shall have precedence of paying patients. Order of admission of patients.

SECTION 17. That the said hospital shall charge for all indigent insane persons, committed to their charge, by any court, or courts, of this commonwealth, or sent there by the commissioners of any county, or the constituted authorities having charge of the poor, or removed thither from the Western State penitentiary, such reasonable amount, for the care, medical attendance and maintenance, including clothing, and for funeral, and other, expenses, as may be fixed, from time to time, in manner following, to wit: the board of managers shall, at any regular meeting, fix the rate to be charged, per week, for the care, medical attendance and maintenance of indigent insane persons, at as low a rate, not below the actual cost thereof, and not exceeding two dollars and fifty cents per week, as the financial condition of the institution will, in their judgment, permit, providing therein for special cases, in which extra attendance is required: *Provided*, That in the notices, to the managers, calling such meeting, it shall be stated, that the rate to be charged to indigent insane persons, is to be fixed thereat, and the rate, so fixed, shall continue for at least three months thereafter, and until the same is altered, at a meeting of the board of managers, called for that purpose; but for those insane patients, who are not indigent, and whose estate is adequate, or whose friends are willing to pay their expenses, the hospital may charge such terms as the board of managers may direct. Charges for indigent insane, relative to.

SECTION 18. That the counties of this commonwealth, from which insane persons may be committed, or sent, at the expense of such counties, to said hospital, are the following, to wit: Armstrong, Allegheny, Beaver, Butler, Cambria, Clarion, Clearfield, Crawford, Erie, Elk, Forest, Fayette, Greene, Indiana, Jefferson, Lawrence, Mercer, M'Kean, Somerset, Venango, Washington, Warren and Westmoreland, and such counties as may be hereafter erected therefrom. Rate of, when and how to be fixed.

SECTION 19. That the ground now owned, or which may be hereafter purchased by said hospital, shall not be subject to have any public street, lane, alley, or road laid out, or opened, through it, so long as the same shall be held, used and employed, for the purposes of said hospital; and that any road, or right of way, heretofore existing, through any part of the property so owned, used and occupied by said hospital, which shall not have been laid out, by order of court, or by actual grant or conveyance, duly recorded, shall be and the same is hereby vacated. Provido.

SECTION 20. That the supplement to the act incorporating the Western Pennsylvania hospital, approved on the eighth day of May, one thousand eight hundred and fifty-five, excepting the first and eleventh sections thereof, and the seventh section of the supplement to the several acts of assembly, relative to Counties from which insane persons may be committed or sent.

SECTION 21. That the ground now owned, or which may be hereafter purchased by said hospital, shall not be subject to have any public street, lane, alley, or road laid out, or opened, through it, so long as the same shall be held, used and employed, for the purposes of said hospital; and that any road, or right of way, heretofore existing, through any part of the property so owned, used and occupied by said hospital, which shall not have been laid out, by order of court, or by actual grant or conveyance, duly recorded, shall be and the same is hereby vacated. Opening of streets or roads through grounds prohibited.

SECTION 22. That the supplement to the act incorporating the Western Pennsylvania hospital, approved on the eighth day of May, one thousand eight hundred and fifty-five, excepting the first and eleventh sections thereof, and the seventh section of the supplement to the several acts of assembly, relative to Roads or rights of way, heretofore existing, vacated.

SECTION 23. That the supplement to the act incorporating the Western Pennsylvania hospital, approved on the eighth day of May, one thousand eight hundred and fifty-five, excepting the first and eleventh sections thereof, and the seventh section of the supplement to the several acts of assembly, relative to Supplement of 1855 repealed. Certain sections excepted.

LAWS OF PENNSYLVANIA.

the Pennsylvania State Lunatic hospital, approved on the eighth day of April, one thousand eight hundred and sixty-one, and all acts, or parts of acts, inconsistent herewith, so far as they relate to the Western Pennsylvania hospital, be and the same are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 536.

An Act

In relation to a certain road in the county of Clinton.

Preamble.

WHEREAS, A public road has been laid out in Clinton county, leading from the mouth of Lick run, in the township of Colebrook, to the old turnpike, in the township of Gallagher, in said county, and partly constructed:

And whereas, Said township cannot complete said road as soon as the public good requires, without imposing burdensome taxes; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

Commissioners.

That William Baynton, John Zimmerman, Newton W. Fredericks, of Clinton county, and Firman Fields, of Lycoming county, are hereby appointed commissioners, whose duty it shall be to meet at the school house in Farrandsville, in Colebrook township, in said county, on, or before, the first day of May, one thousand eight hundred and sixty-three; said commissioners, as soon as they shall meet, as aforesaid, shall, forthwith, select, from their number, a president and secretary, three of them to constitute a quorum, to transact business; the secretary is hereby authorized to call any subsequent meetings, on three days' notice to the remaining commissioners.

Meeting.

Organization.

Quorum.

Powers and duties of commissioners.

SECTION 2. That it shall be the duty of said commissioners, as soon after their first meeting as practical, to cause a re-survey to be made of said road, with power to make any change, or changes, in the location of that portion of said road, north of the house now occupied by George Hopson, in said township of Colebrook, as they may deem advisable and best, and to make report of their doings to the clerk of the court of quarter ses-

sions of Clinton county; which report is to contain a draft of said road, as laid out by them; said commissioners are hereby authorized to advertise for proposals, and make contracts with the lowest bidder, who shall give satisfactory security for the fulfillment of the same, for building, and constructing, of said road and bridges, on said route, and to make payment to said contractors, in certificates, as hereinafter provided; the road to be of such width as the said commissioners may deem necessary for public convenience, and economy, in the construction, and repairs, of said road; said road to be completed within six months from the time of making the contract; separate contracts may be made for the respective portions of said road, in each of said townships, as said commissioners may deem best.

SECTION 3. That it shall be the further duty of said commissioners to cause certificates to be issued to such contractors, for not exceeding eighty per centum of the amount of the work done on each contract, and the residue, when said contract is completed; said certificates to be in the sum of fifty dollars each, except such fractions thereof as may be due the contractors, on final settlement; each certificate shall be numbered and dated, and shall specify the township in which the work was done, for which it was issued, and the contractor's name, and made payable on the first of July, Anno Domini one thousand eight hundred and seventy-three, with interest, payable annually, at six per centum per annum, and to be signed by the president and secretary, and transferable by endorsement of the person to whom issued.

Certificates to be issued to contractors for work done.

Transferable.

SECTION 4. That it shall be the duty of the secretary to keep a correct account of all such certificates, giving the date, number, amount, to whom, and for which township, issued; and deposit, or file, a copy of the same, under oath, stating their correctness, with the county treasurer, on, or before, the first day of April, Anno Domini one thousand eight hundred and sixty-four, and a copy of all the doings of said commissioners, with the clerk of the court of quarter sessions of said county, at the May court next thereafter.

Secretary to keep account of certificates, and file a copy with county treasurer.

SECTION 5. That it shall be the further duty of said commissioners to make out a list of the unseated lands, in each of said townships, that the taxes on the same, at the rates levied, in the year one thousand eight hundred and sixty-two, in said townships, may be sufficient to pay all the aforesaid certificates, and make a return of said list, to the county treasurer, as soon as the amount necessary can be ascertained; and all the taxes hereafter levied, or collected, on said lands, contained in said list, shall be applied to the payment, and redemption, of the aforesaid certificates, issued as aforesaid, until the whole amount, debt and interest, are paid: *Provided however,* That the taxes levied, and collected, on the lands aforesaid, in each of said townships, shall only be applied on the certificates issued for that township.

Commissioners to make out a list of unseated lands.

Taxes on same to be applied to payment of certificates.

Proviso.

SECTION 6. That it shall be the duty of the county treasurer to receive said certificates, on account of taxes, on lands, contained in said list, furnished him as aforesaid; and should there be any moneys in his hands, on the first of July, of any year, collected, or received, by him, on said lands, or any of

Treasurer to receive certificates on account of taxes.

Duties of treasurer in the purchase and cancellation of certificates.

them, it shall be his duty to advertise for, and buy up, at the lowest rates offered, any of said certificates, to cancel each of said certificates, when received, and make a memorandum on the same, how the same were received by him, and keep a correct account of each, when received, of whom, and the price paid; and such taxes collected, and moneys paid out, shall be settled with the treasurer, in like manner as is now provided, by law, for other accounts.

Compensation of commissioners and other expenses.

SECTION 7. That said commissioners shall receive, for their services, not exceeding one dollar and fifty cents per day, for each day actually engaged in the duties, prescribed by this act, with power to employ such assistance as they may deem necessary, in carrying out the intent of this act; any expenses, thus incurred, shall be paid, by an order, signed by the president and secretary, and to be paid out of the first moneys collected, as aforesaid: *Provided*, That said expenses are to be paid, as aforesaid, out of the taxes assessed, and paid in, on lands, in either of said townships, where the work, or services, are rendered.

Proviso.

Road to be kept in repair by supervisors.

SECTION 8. That the said road, after being completed by said commissioners, shall be kept in repair, by the supervisors of said townships, respectively.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 537.

An Act

Authorising Notaries Public in this State, and in any State or Territory in the United States, to take acknowledgments of deeds, and letters of attorney, and to confirm acknowledgments heretofore made.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Notaries public authorized to take acknowledgments of deeds, &c.

That in all cases of the sale, conveyance, mortgage, or other instrument of writing, heretofore made, or which may be hereafter made, by any person, or husband and wife, concerning any lands, tenements, or hereditaments, or any estate, or interest therein, lying, or being, within this commonwealth, and heretofore acknowledged, or proved, or hereafter acknowledged, or proved, before any notary public, in any state, or territory, or place, within the United States, or in any foreign country, according to the forms, now, or hereafter, required by the laws

of this state, relative to such acknowledgment, or probate, duly certified, under the seal of office of such notary public, shall be as valid, to all intents and purposes, and be, in like manner, entitled to be recorded, as if the same had been duly acknowledged, or proven, according to the existing laws of this commonwealth.

SECTION 2. That any letter of attorney, heretofore given, or hereafter given, for the purpose of accomplishing any of the objects designated in the act of assembly, of the fourteenth December, one thousand eight hundred and fifty-four, entitled "An Act relating to the authentication of letters of attorney, protest of notaries public, and assignments made out of the state, and to the acknowledgment of deeds," if acknowledged, or proven, before any notary public of any other state, territory, or place, and certified under his hand, and seal of office, shall be of as full force, and effect, as if acknowledged before any officer of such state, territory, or place, as is now authorized, by the laws of this state, to take such acknowledgment. Authorized to acknowledge letters of attorney.

SECTION 3. That where any deed of conveyance, mortgage, or other instrument of writing, has been heretofore executed, or acknowledged, or both, by any corporation, under any power, sufficiently authorizing the same, and shall have been informally executed, or acknowledged, by any officer, *de facto*, of such corporation, or shall have been executed, or acknowledged, by the officers of such corporation, in the manner prescribed by law, for the acknowledgment of deeds and mortgages, by individuals, such deed, mortgage, or instrument, shall be taken to be of the same validity, and effect, as if executed, and acknowledged, in the manner prescribed by law, for the execution, and acknowledgment, of deeds, mortgages, and other instruments, by corporations: *Provided*, That no case, heretofore judicially decided, shall be affected by this act. Deeds, mortgages, &c., heretofore informally acknowledged by corporations, made valid.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 538.

An Act

To provide for the payment of the Militia, called into service by the proclamation of the Governor, and the order of the eleventh day of September last.

WHEREAS, The military of this state, to the number of twenty-five thousand men, promptly, and gallantly, responded to the Preamble.

proclamation of the governor, and the order of September last, and rendered most important services, in defence of the state, and in aid of the army of the Potomac :

And whereas, These men are justly entitled to some remuneration for their expenditures, and services ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Officers, non-commissioned officers and privates to receive fifteen days' pay and subsistence.

That the officers, non-commissioned officers, and privates, of the militia, called into the service of this state, and the United States, by the proclamation of the governor, and the order of the eleventh day of September last, shall each be entitled to receive fifteen days' pay, and subsistence, at the same rate, per month, as is prescribed by the act of congress, for the payment of the regulars and volunteers, in the service of the United States : *Provided*, That should the federal government make payment to said militia, within six months, it shall be taken to be in lieu of the payment provided by this act.

Proviso.

Adjutant general to report to the auditor general, from the rolls of the companies, certified by the captains.

Warrants to be issued by the adjutant general.

To be approved by auditor general.

The governor to receive the amount appropriated by Congress.

SECTION 2. That the adjutant general of the state shall ascertain, and report, to the auditor general, from the rolls of the respective companies, certified, under oath, by the respective captains, the names of the officers, non-commissioned officers, and privates, thus called, and certified, by their commanding officers, to have, actually, gone in service ; and shall draw his warrants upon the state treasurer, in favor of each person, entitled as aforesaid, and for the amounts herein directed to be paid, out of any moneys in the state treasury, not otherwise appropriated : *Provided*, That the warrants, issued by the adjutant general aforesaid, shall, first, be countersigned, and approved, by the auditor general.

SECTION 3. That the governor is hereby authorized to receive, from the treasury of the United States, the amount appropriated by an act of the late congress of the United States, for the pay and subsistence of the militia, thus called into service, and to accept the same, in full, of such pay, and subsistence ; the state of Pennsylvania hereby assuming to pay the same, according to the provisions of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 539.

An Act

To extend the jurisdiction of Justices of the Peace to certain criminal proceedings, in the county of Venango.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to change the mode of criminal proceedings in Erie and Union counties," with its several supplements, be and the same are hereby extended to the county of Venango.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 540.

An Act

Repealing an act to appoint commissioners to keep in repair the East and West State road, in M'Kean county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act appointing commissioners to keep in repair the state road, leading from Warren to Smethport, and known as the East and West State road, and the supplements thereto, be and the same are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 541.

An Act

To authorize the treasurer of Greene county to pay the salary of the brigade inspector of the Fourteenth brigade, of the Seventeenth division, Pennsylvania militia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first and second clauses of the tenth section of the act, entitled "An Act for the regulation of the militia of this commonwealth," be and the same are hereby repealed, so far as respects the counties of Greene and Washington; and that the respective treasurers of said counties are hereby authorized to pay to Henry L. Barnes, brigade inspector of the fourth brigade, and Thomas S. Irwin, brigade inspector of the third brigade, of the seventeenth division, of Pennsylvania militia, the sum of one hundred and fifty dollars each, out of any money in their hands belonging to the military fund of said brigades, not otherwise appropriated, in full satisfaction of their salaries, as brigade inspectors, for the year ending January first, one thousand eight hundred and sixty-three, in the same manner as though the account of said brigade inspectors had been regularly audited, and an order issued therefor to the county treasurers of said brigades.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 542.

An Act

Creating two additional assessors for the Twentieth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the city commissioners, of the city of Philadelphia, are hereby authorized, and directed, to appoint two additional assessors, for all that portion of the Twentieth ward, of said city, lying west of Broad street, to serve until the next election of assessors. Commissioners authorized to appoint two additional assessors.

SECTION 2. That at the next election of assessors, the qualified voters, of the said Twentieth ward, shall elect four assessors, in lieu of the two now provided by law, two of whom shall be for that portion of the ward lying east of Broad street, and two of whom shall be for that portion of said ward, lying west of said Broad street; that each of the qualified voters, of the said Twentieth ward, shall be entitled to vote for two persons, for the said office of assessor, and the four persons, receiving the highest number of votes, shall be severally declared elected to fill said office. Four to be elected at next election.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 543.

An Act

Vacating part of Mud lane, or Old Montgomery street, in the Nineteenth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Mud lane, or Old Montgomery street, in the Nineteenth ward of the city of Philadelphia, as lies east of Hancock street, and is not included in, or does not form a part of, Columbia avenue, as at present laid out, on the approved plan of that part of the city of Philadelphia, be and the same is hereby vacated; and the title to that part of the soil, of the said Mud lane, or Old Montgomery street, hereby vacated, is hereby vested in the owners of the property fronting on each side of said vacated lane, or street, to the middle thereof.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 544.

An Act

Supplementary to an act to incorporate the Shamokin Valley and Pottsville railroad company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any lawful lessee, successor, or assignee, of the Shamokin Valley and Pottsville Railroad Company, is hereby authorized to have, use, and enjoy, all the corporate rights and privileges of said company, as fully as the said company, itself, have, use, possess and enjoy, under existing laws, provisions, limitations, and restrictions, and shall possess all the rights and privileges given by the general railroad law of this commonwealth, and the several supplements thereto.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 545.

An Act

Granting certain additional powers to the courts of common pleas in the several counties of this commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the same powers which now exist in the district court of the city of Philadelphia, so far as the same regards the directing of non-suits, and entering judgments on reserved points, be and the same are hereby extended to the courts of common pleas of the several counties of this commonwealth; subject, however,

to the same rules and regulations, in regard to writs of error from the supreme court.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 546.

A Supplement

To an act incorporating the Little Schuylkill Navigation, Railroad and Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the Little Schuylkill Navigation, Railroad and Coal Company be and they are hereby authorized, from time to time, to sell, and convey, such portions of the lands held, and which may be held, by said company, and upon such terms as the board of managers thereof may think proper.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 547.

An Act

Authorizing the sale of the Lebanon Female Seminary property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Levi Kline, and Simon J. Stine, be and they are hereby authorized to sell, at public, or private, sale, the house and lot of ground, with the appurtenances, situate on the south-east corner of Walnut and Water streets, in the borough of Lebanon, and known as the "Lebanon Female Seminary" property, and to re-invest the proceeds of such sale in other property, to be held for educational purposes, and the same to remain under the control and management of the present board of trustees, and their successors; the said sale, and re-investment, to be approved of by the court of common pleas of Lebanon county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 548.

An Act

Relating to the publication of legal notices in certain counties of this commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any writ, notice, rule, or orders, shall be required, under any law of this commonwealth, to be published in any newspaper in the counties of Berks, Northampton, Lehigh, Lancaster, Schuylkill, Lebanon, Bucks, Montgomery, or York, it shall be lawful for the proper court to designate, by general rule, or special order, the paper, or papers, in which such publication shall be made; and such publication, under

such order of the court, in any German newspaper, shall be held to be adequate, and shall have all the force and effect of a publication in an English newspaper.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 549.

A Supplement

To an act to provide for the adjudication and payment of certain military claims, approved April sixteenth, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That all officers of the volunteer service, holding commissions in regiments, recruited under an authority emanating from the secretary of war of the United States, or from the governor of this commonwealth, and who have not been dishonorably dismissed from the service, shall receive from the state of Pennsylvania the same pay, emoluments and allowances, allowed to officers of like rank in the regular army, from the date of such authority to the time they were mustered into the military service of the United States, or until disbanded by the governor: *Provided*, That when a company has been recruited, in whole or in part, before the date of the commission of the captain of said company, not recruited under the authority of the secretary of war, that the said captain, or other officer recruiting said company, in whole or in part, shall be entitled to all the provisions of this act, except monthly pay.

Officers of volunteer service to receive pay, emoluments and allowances, from date of authority to time of muster.

SECTION 2. That surgeons, assistant surgeons and chaplains, regularly commissioned in volunteer regiments raised in the state of Pennsylvania, and who have actually entered on duty in their respective regiments, under appointment by competent authority, shall be entitled to receive pay, under the provisions of this act, from the time they entered on duty to the date of their muster into the United States military service, at the same rates, as are now allowed by the United States to officers of like rank in the volunteer service: *Provided*, That no officer shall re-

Provide.

Surgeons and assistants, and chaplains, to receive the same pay as officers of like rank.

Officers dishonorably dismissed not to be paid.

Board constituted for examination of claims.

Auditor general to review their report and draw warrant on treasurer.

Payment.

Claims settled under former act, relative to.

Proviso.

The vouchers necessary to establish claims.

Proviso.

Claims of widows or heirs of deceased soldiers, not exceeding \$100, may be paid without letters of administration.

ceive pay, under the provisions of this act, who has been dishonorably dismissed from the military service of the United States.

SECTION 3. That the adjutant general, quartermaster general and the commissary general shall constitute a board, any two of whom shall form a quorum, to whom, all claims, under this act, shall be submitted for examination, and if found to conform to the provisions of this act, and approved by the said board, they shall report the same to the auditor general, who shall review the same, and if satisfied therewith, shall draw his warrant on the state treasurer for the amount allowed in each case, and the state treasurer is hereby authorized to pay the same out of the war loan, authorized by the act of May fifteenth, one thousand eight hundred and sixty-one, entitled "An Act to create a loan and provide for arming the state," and in case said fund shall be insufficient to pay the same, then out of any money in the treasury not otherwise appropriated.

SECTION 4. That any persons, who may have settled their claims under the act of the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-two, shall not be excluded from any benefits, to which they would be entitled under this act: *Provided*, That any money paid such persons, on such settlement, shall be mentioned in their statement of claim, under this act, and the commonwealth be allowed due credit therefor.

SECTION 5. That the vouchers necessary to establish a claim under this act, shall be, First, a declaration under oath, in writing, of facts and dates, setting forth, also, that the claimant has not been dishonorably dismissed the service of the United States; that he has not, at any time, received any pecuniary or other compensation, or promise thereof, for the procuring of any commission, or appointment of any officer, sutler, or other appointee connected with the volunteer service; that he has not transferred any portion of the men he recruited, or assisted in recruiting, to any other company, battalion or regiment, for a pecuniary or other consideration; that he has not received any pay or compensation from the United States for any part of the claim presented, and that he will not seek to do so. Second, a statement or bill of claim, in writing, under oath, with dates, items and amounts, made out agreeably to forms, to be designated by the board appointed by this act. Third, the commission from the governor of the commonwealth, or a certified copy thereof, together with the date of muster into the United States service: *Provided*, In claims made for regiments, raised by authority direct from the war department, the board may, if they think just and proper, in any case, or cases, require, in addition to the commission from the governor aforesaid, the production of the original order from the war department, or a certified copy thereof, in writing, and also the order, or a copy thereof, from the person thus duly authorized: *And provided further*, That when the claim is going to the widow, or heirs of a deceased soldier, and the said claim does not exceed one hundred dollars, said claim may, at the discretion of the board, be paid to said widow, or heirs, without letters of administration having first been taken out on the estate of said decedent.

SECTION 6. That the widow before, and if the widow is dead, the children of a deceased officer, shall be entitled to claim the benefit of this act, they shall furnish the same evidence to establish their claim the deceased officer would have been required to produce, when in the power of the said widow and children so to do; when not in their power so to do, such equivalent evidence may be required as to the board may seem just and proper: *Provided*, In claims made by widows or children under this act, in addition to other evidence, they shall be required to prove, by not less than two affidavits, their right to claim as such.

The evidence required in cases of claims by widows and heirs.

SECTION 7. That in all claims made under the eighth section of the act of sixteenth April, Anno Domini one thousand eight hundred and sixty-two, the claimant shall, previous to the presentation of petition to the court of common pleas, as provided therein, give thirty days' notice thereof to the board appointed by this act, upon the reception of which notice, the said board shall have power to employ counsel to represent the interests of the state: *Provided*, The board shall have power to refer back, to the proper courts, claims already reported.

Claims for damages to lands or tenements occupied by troops, relative to.

SECTION 8. That all claims under this act, and under the act of April sixteenth, Anno Domini one thousand eight hundred and sixty-two, entitled "An Act to provide for the adjudication and payment of certain military claims," shall be made within two years from the passage of this act.

Claims to be made within two years.

SECTION 9. That all claims for pay of privates in the Erie regiment, three months volunteers, Col. John W. M'Lane, assigned by written orders, before the passage of the act to which this is a supplement, shall be paid to the holder or owner of such orders, the same as though applied for by the original claimants: *Provided*, That the said board may, if they think necessary, require a bond of indemnity from such assignee, in twice the amount of the claim, with sufficient sureties to protect the state against any subsequent collection by the said original claimant, on the ground of fraud, or want of consideration in such original assignment.

Claims for pay of privates in the Erie regiment, how to be paid.

Proviso.

SECTION 10. That any part or parts of acts, inconsistent herewith, are hereby repealed.

Repeal

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 550.

An Act

Authorizing the Auditor General to draw certain warrants upon the State Treasurer, in favor of the stockholders of the West Philadelphia Railroad Company.

WHEREAS, By the forty-second section of an act, entitled "An Act to provide for the ordinary expenses of government, the repair of the canals and railroads, and other general and special appropriations," approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-one, the canal commissioners were authorized, and required, to draw their warrants on the state treasurer, for certain sums of money, awarded to the stockholders of the West Philadelphia Railroad Company :

And whereas, The board of canal commissioners has since been abolished ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be and is hereby authorized, and required, to draw his warrant, or warrants, upon the state treasurer, for any sums of money awarded, and still due, to the stockholders of the West Philadelphia Railroad Company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 551.

A Supplement

To an act for the greater certainty of title, and more secure enjoyment of real estate, passed the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That the provisions of the second section of an act, passed the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act for the greater certainty of title, and more secure enjoyment of real estate," shall not apply, or be deemed and taken to have applied, to any action, or proceeding, pending at the time of the passage of the said act, nor in any way to affect the parties to such action, or proceeding.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

No. 552.

A Further Supplement

To the acts of assembly, regulating auctions and auctioneers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That sales, by auction, in the borough of Altoona, and the township of Logan, in the county of Blair, shall be authorized, and regulated, in the same manner as is provided in the act, entitled "An Act regulating auctions in the city of Lancaster, and other towns in this commonwealth," passed the seventh day of April, one thousand eight hundred and thirty-two, and the supplement thereto, passed the sixth day of April, one thousand eight hundred and thirty-three; the auctioneers to be appointed in the same manner, paying the same duties, giving the same securities, and liable to the same penalties, and regulations, mentioned in the said acts, which are hereby extended to the said borough of Altoona, and the township of Logan, and to the officers in the said county of Blair, and to the courts thereof, in the same manner as is provided for the officers and courts mentioned in the said acts: *Provided*, That there shall be but one auctioneer commissioned, at one and the same time, for the said borough and township.

Sales by auction in Altoona and Logan township, Blair co., regulated.

Appointment of auctioneers.

Limitation.

SECTION 2. That the term "auction," as applied and used in the laws of this commonwealth, relative to sales, by auction, in the borough of Altoona, and the township of Logan, shall extend to, and include, all kinds of sales, at public outcry, whether the bidding be upward, or downward, or otherwise.

Definition of the word "auction," as herein applied.

Sales by sheriffs, constables, &c. SECTION 8. That the provisions of this act shall not prevent a sheriff, coroner, constable, or other proper officer, from disposing of any property, upon which he may levy, as heretofore.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 553.

An Act

To punish the fraudulent receiving of money on deposit.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any saving fund society, or company, or any officer, or agent, thereof, within this commonwealth, to receive, on deposit, any sum, or sums, of money, whatever, when such society, or company, has not assets sufficient, at their cash value, to pay all its debts and liabilities; and any officer, or agent, of any such society, or company, who shall, knowingly, violate the provisions of this act, by receiving a deposit of any sum, or sums, of money, shall be deemed guilty of a misdemeanor, and upon conviction, shall be liable to a fine, not exceeding one thousand dollars, and an imprisonment, in the jail of the proper county, for a term not exceeding three years, or both, or either, at the discretion of the court.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 554.

A Further Supplement

To the several acts heretofore passed relating to the Union Canal Company of Pennsylvania.

WHEREAS, In pursuance of the authority contained in the said act of assembly, passed the tenth day of April, Anno Domini one thousand eight hundred and sixty-two, the creditors of the said Union Canal Company, therein referred to, have agreed, or are about to agree, to accept, in satisfaction of their claims, bonds, to be issued as therein authorized, in lieu of coupons for interest, to be surrendered and cancelled, and certain of the said bondholders of said company have agreed to surrender coupons for interest, due on their bonds, to an amount sufficient for that purpose:

And whereas, The stockholders of the said company have, as therein provided, accepted the said act of assembly, and agreed to become bound by the terms thereof; and holders of the bonds of the company, secured by mortgages, to the amount of two million four hundred and fifteen thousand dollars, have, in the manner therein provided, also agreed to become bound by the provisions of the said act, whereby the principal sum, secured under the mortgages of the said company, heretofore made, is now, (as respects all persons, but such of the said bondholders as have refused to concur in and accept the said act, the principal of whose bonds amount to eighty-five thousand dollars,) or will be, when the said bonds are issued, three millions of dollars, and the parties thus assenting have, by the terms of the said act, agreed that all interest on said bonds, heretofore accrued, or hereafter to accrue, has, and shall be deemed, and taken, to have been fully satisfied and paid, by the appropriation, to their use, of the *pro rata* share of the net annual income of the said company, after the payment of all expenses; which said net income is to be divided among, and paid to, them, the said bondholders, in the proportions of the amounts due to them, respectively, on their coupons for interest:

And whereas, It was provided in and by the said act of the tenth day of April, Anno Domini one thousand eight hundred and sixty-two, that upon the assent of two-thirds, in value, of the said bondholders, and the acceptance of the said act, by the said stockholders, the estate, and property, real, and personal, and all the franchises, and corporate privileges, which, by the indenture of the twenty-eighth day of October, Anno Domini one thousand eight hundred and fifty-seven, recited in the said act, were granted to J. Rodman Paul, R. Rundle Smith, and Oscar Thompson, in trust, should re-vest in the said corporation, under, and subject, nevertheless, to the several trusts, set forth in the said indenture, except as modified, or

controlled, by the provisions of the said act of assembly; which assent has been given, and the act accepted, whereby the said corporation is entitled to have the said property, mentioned in the said indenture of October twenty-eighth, one thousand eight hundred and fifty-seven, assigned to them, as trustees, in lieu and stead of the said J. Rodman Paul, R. Rundle Smith, and Oscar Thompson, and as successors, in the said trust, and the rights, of the said creditors, bondholders, and all others, who have accepted the said act, or taken any interest under the same, or acted on the faith of the agreement therein mentioned, are preserved, and are to remain, and continue, as respects such non-concurring bondholders, as if nothing had been done under the said act of assembly:

And whereas, For the securing, to the said bondholders, and creditors, who have agreed, or may agree, to accept the bonds issued in lieu of surrendered coupons, who thereby become parties to the contract, authorized by said act, and to the bondholders, who have refused to accept the provisions of the said act, their said relative rights, and interests, in the property, which, by the terms, and conditions, of the said act of the tenth day of April, Anno Domini one thousand eight hundred and sixty-two, are to become vested in the said corporation, upon the same trusts as are set forth, and declared, in respect thereof, in the said indenture of the twenty-eighth day of October, Anno Domini one thousand eight hundred and fifty-seven, recited in said act, it is necessary, that the trusts of the indenture of October twenty-eighth, one thousand eight hundred and fifty-seven, should continue in the said corporation, as provided in the said act of assembly, as long as any bondholders shall continue to refuse to accept the said act of assembly, and the contract therein authorized:

And whereas, It is also necessary, to the execution of the said trusts, that the corporation, so created, and authorized, to act as trustees, under said indenture of October twenty-eighth, one thousand eight hundred and fifty-seven, in lieu and stead of the trustees therein named, should have, and possess, the power, out of, and with, the property, thus assigned to it in trust, and the receipts therefrom, and from the franchises, so assigned, to purchase, take, and hold, coal, tools, and other property, real, and personal, such as may be necessary for the carrying on, and conducting, the business of the said canal, and the exercise of the franchises of the corporation, as trustees, under the terms of the said indenture of October twenty-eighth, one thousand eight hundred and fifty-seven, in like manner as the said trustees might do, if the said assignment, or surrender, had never been made, but had continued in the trustees named in the said indenture; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That after the said franchises, and property, real, and personal, shall have been assigned, by the said trustees, to the said corporation, in trust, as contemplated by the said act of assembly, and from thence forward, and so long as any bondholders of the said corporation, secured by mortgages on the

corporate property, and franchises, shall continue to refuse to concur in, and accept, the said act of assembly, the said corporation of the Union Canal Company shall be deemed, and taken, to have, hold, and possess, the said franchises, and property, and all receipts therefrom, and the rents, issues, income, or profits, thereof, and all other property, and effects, thereafter to be, by the said corporation, acquired, for the purpose of maintaining, and conducting, the work, and the business, of the canal, for, and upon, and under, and subject to, the same trusts, powers, provisos, provisions, and limitations, as are set forth and contained in the above recited indenture of October twenty-eighth, one thousand eight hundred and fifty-seven; and the said bondholders shall be entitled to have an account, from the said corporation, as trustees, under the said indenture, of the annual receipts, and expenditures, in the prosecution, and execution, of the said trust, and the net annual income derived from the said canal, and in the prosecution of the said trust, ascertained; which net income shall be divided, apportioned, and paid among, and to, the said bondholders, in the manner they are entitled, preserving the relative rights of the said several classes of bondholders, and parties interested in said trust, as provided in the said act of assembly, of the tenth of April, one thousand eight hundred and sixty-two; and the sums, which shall be found due to the bondholders accepting the said act of assembly, and parties to the contract, thereby authorized, and therein contained, shall be paid to, and received by, them, respectively, in satisfaction of all coupons for interest, which shall have accrued, and become due, and payable, at the time of such account stated, as provided by the first section of the said act of assembly; and the sums, which shall be found due to the said bondholders, not concurring in, and accepting, the said act, and contract, shall be paid to, and received by, them, on account of the amount due to them, and with like effect as if the said act of assembly had not been passed, and so that the relative rights and interests of the said parties shall be preserved, and continue, as provided by the third section of the said act; and the said corporation, in the prosecution of the said trust, shall be authorized to make reasonable and proper compensation to its officers, and agents, who are employed in, and about, the necessary business of the said trust, and shall be allowed all reasonable expenses, but shall not be entitled to make any charge, by way of commissions, on the receipts, or disbursements; and in case any parties interested shall require the accounts of the said corporation to be filed, and audited, it shall be lawful to proceed, therefor, in the court of common pleas of the county of Philadelphia, in the same manner, and with like effect, and with the same right of appeal, as in case of an assignment for the benefit of creditors, under existing laws; and the said bondholders, who have refused to concur in the said act of assembly of the tenth day of April, Anno Domini one thousand eight hundred and sixty-two, shall not, until they respectively do so concur, and accept the provisions of the same, in writing, delivered to the said corporation, be entitled to any of the privileges set forth in the said act, and any property, which

was the property of the said corporation, and was conveyed, or held, under the trusts aforesaid; and all property which shall be acquired, and held, for or in execution of the said trusts, shall, during the continuance thereof, be freed, and discharged, from all liability to be taken in execution under proceedings by the said bondholders, or any creditor of the said corporation, otherwise than by proceedings to enforce the execution of the said trust, saving, and reserving, nevertheless, to the said bondholders, all rights heretofore secured to them, under the mortgages of the twenty-third day of August, one thousand eight hundred and fifty-three, made, by the said corporation, to M. Brooke Bulkley, James W. Paul, and Charles H. Rogers, and of the twentieth day of October, one thousand eight hundred and fifty-seven, made, by the said corporation, to the said James W. Paul, and Charles H. Rogers, the survivors of the said mortgagees; which mortgages have been duly recorded; and also, under the trusts in the said indenture of October twenty-eighth, one thousand eight hundred and fifty-seven, set forth and contained: *Provided*, That when all of the said bondholders, secured by the said mortgages, shall have accepted the said act of assembly of the tenth day of April, Anno Domini one thousand eight hundred and sixty-two, in the manner therein, or hereby, authorized and directed, and all persons, whose claims are secured by the indenture of October twenty-eighth, one thousand eight hundred and fifty-seven, shall have become parties to the agreement, set forth in the said act of assembly, or have assented thereto, or have surrendered their claims, that the said corporation may, by deed, declare the same, and surrender the said trusts; whereupon, all of the said trusts shall cease, and the said property, and franchises, shall re-vest in the said corporation, as of their former estate, on the twenty-eighth day of October, Anno Domini one thousand eight hundred and fifty-seven, and immediately preceding the execution of the indenture of that date.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 555.

A Supplement

To an act to authorize the Wyoming Canal Company, and its creditors, to agree to an adjustment of their respective rights, approved April third, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the annual election of the president and managers of the Wyoming Valley Canal Company shall be held on the third Wednesday of May, in each year, instead of April, as provided for by the fourth section of the act to which this is a supplement; and all the elections of the said company shall be held in the city of Philadelphia.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 556.

An Act

Relating to the assignment of bonds and mortgages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in any *scire facias*, or suit, upon any mortgage bond, or other obligation, although the same may have been assigned, and the assignment thereof recorded, as required by the act of ninth of April, one thousand eight hundred and forty-nine, the assignee, or assignees, may sue, or proceed thereon, in his, or their, own name, or names, or in the name, or names, of the mortgagee, or mortgagees, or obligee, or obligees, to the use of such assignee, or assignees; and such assignee, or assignees, or person, or persons, having an equitable, or legal, interest therein, shall

be entitled, in actions now pending, or hereafter to be brought, at any time, before verdict, or judgment, on application to the proper court, to have the record so amended as to the parties in any such suit, as will enable the proper plaintiff, or plaintiffs, to proceed in such suit, with the like effect as if the proper party had been placed on the record, at the commencement of the suit; and the court, on such application, shall amend such record accordingly.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three

A. G. CURTIN.

No. 557.

An Act

To extend the fourth section of an act, entitled "An Act to alter the times of holding courts in the county of Tioga, and for other purposes," approved the fourth day of April, Anno Domini one thousand eight hundred and thirty-seven, to the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the fourth section of an act of the general assembly of the commonwealth of Pennsylvania, approved the fourth day of April, Anno Domini one thousand eight hundred and thirty-seven, entitled "An Act to alter the times of holding courts in the county of Tioga, and for other purposes," be and the same is hereby extended to the county of Schuylkill.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 558.

An Act

To stay proceedings against the sureties of Andrew S. Harrison, and revive the warrant of Andrew S. Harrison, a collector of taxes in the borough of Huntingdon.

WHEREAS, John W. Mattern, and John K. M'Cahen, sureties to the county of Huntingdon, for Andrew S. Harrison, late collector of taxes, in the borough of Huntingdon, Huntingdon county, have become liable, by the defalcation of the said Harrison, to pay the commonwealth, and the county of Huntingdon, about one thousand dollars:

And whereas, The warrant is not revived, and there being a considerable amount of taxes due, and owing, the said collector of taxes, and which will discharge a large portion of said defalcation, if the said warrant is revived; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the warrant, issued to Andrew S. Harrison, of the borough of Huntingdon, in the county of Huntingdon, for the county, state, and military taxes, dated the twenty-second day of June, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby revived, and continued in full force and virtue, for the space of one year from the passage of this act.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 559.

An Act

To authorize the Commissioners of Mercer county to compromise with the holders of its bonds, issued to railroad companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners authorized to compromise.

That the commissioners of the county of Mercer, or a majority of them, are hereby authorized to compromise with any holder, or holders, of the bonds of said county, heretofore issued by the said county, to railroad companies, or with any holder, or holders, of coupons, detached from said bonds; and upon the surrender of such compromised bonds, or coupons, by such holder, or holders, to pay to such holder, or holders, any amount that may be agreed upon between said commissioners, or a majority of them, and such holder, or holders, either by new bonds, hereinafter authorized to be issued, or with money hereinafter authorized to be borrowed.

New bonds to be issued.

SECTION 2. That said commissioners, or a majority of them, for the purpose of effecting such compromises, are hereby authorized to issue new bonds, to an amount sufficient to pay for all the bonds heretofore issued by said county, to railroad companies, which shall be compromised, as aforesaid, of any denomination, not less than fifty, nor more than one thousand, dollars, bearing interest at any rate per annum, not exceeding six per cent., payable semi-annually, at such place as may be agreed upon by the said commissioners, and the parties accepting the same, with coupons attached, for the payment of the said interest, the principal payable at any future time, not less than twenty years from the date of said bonds; which said bonds, the said commissioners, or a majority of them, are hereby authorized to deliver, either directly, to such holder, or holders, upon such compromise, or to any person, or persons, for loans of money, by them, to said county, to be used in payment of any amounts which may be agreed upon in said compromises: *Provided*, That persons loaning money, upon such bonds, shall not be liable to see to the proper application of the same by the said commissioners: *And provided further*, That the said new bonds shall be redeemable in the manner hereinafter provided, and shall not be subject to taxation for any purpose whatever.

Amount and conditions of.

Proviso.

Proviso.

Tax to be levied for payment of interest and creation of sinking fund.

SECTION 3. That for the purpose of promptly meeting the interest on the new bonds, hereby authorized to be issued, and for the creation of a sinking fund for the ultimate liquidation and payment of said new bonds, a tax shall be levied, annually, by the commissioners of said county, sufficient to produce a sum, which shall be sufficient to meet the interest upon the said new bonds, and create a sinking fund, which shall liquidate, and pay, the principal, at its maturity; the said money, so raised, by said tax, annually, shall be kept separate, and apart, from all other funds of the said county, and shall not be appropriated, by any action of said commissioners, nor be liable to be appropriated by any writ of attachment, or by any judicial process whatsoever, from the following uses, to wit: out of the said sum, so raised, by taxation, annually, shall be first paid the interest on the outstanding new bonds, issued by virtue of this act, and the balance, and residue, of said sum, shall be then applied to the redemption, and cancellation, of new bonds, issued by virtue hereof: *Provided*, That all bonds, purchased for the said sinking fund, shall be forthwith cancelled, and a register of bonds, so cancelled, shall be kept; the cancellation shall be effected by writing, in red ink, across the face of such cancelled

Not to be appropriated to any other object.

Interest to be first paid, and balance applied to redemption of new bonds.

Mode of cancelling bonds.

bond, the fact of such cancellation, and the date thereof; the seal shall be crossed with black ink, and the signatures with red ink; and each coupon shall be punched with two, or more, holes.

SECTION 4. That it shall be lawful for the said commissioners, from time to time, to increase the sinking fund, by appropriating to the same any surplus funds, moneys, or revenues, remaining in, or payable to, the treasury of said county, not required for the ordinary expenses of the said county; the sinking fund, created by this act, shall be, at least once in every year, invested by the said commissioners, in the purchase of the new bonds, hereby authorized to be issued, at the lowest rates for which the same can be procured; and if none should be offered, or obtained, below par, then the said commissioners shall pay off the outstanding new bonds, at par, in rotation of numbers, beginning at the lowest number outstanding; and in the event of such bond, or bonds, not being surrendered, after four weeks' advertising, of the number, or numbers, to be paid, then the commissioners shall deposit the money therefor, in any bank in the city of Pittsburg; and the bond, or bonds, so advertised, shall cease to draw interest thereon; and the holder, or holders, of such bond, or bonds, shall look only to the deposit for the payment of his, her, or their bond, or bonds; such advertising to be made in one newspaper, published in the borough of Mercer, and one in the city of Pittsburg, once a week, for three successive weeks.

Surplus moneys in treasury may be appropriated to sinking fund.

Purchase of the new bonds issued, relative to.

In the event of bonds not being surrendered, after advertising, the money therefor may be deposited in banks, and interest thereon cease.

SECTION 5. That so much of the annual tax, hereby authorized to be levied, for the payment of the interest on the said new bonds, as may not be required, at the time, for the payment of interest on the said new bonds, shall go into, and become part of, the sinking fund, hereby provided, there to remain, until, by reason of future compromises, between the said commissioners, and other holders of said bonds, hereafter issued to railroad companies; and the issue of new bonds, sufficient to require the same, for the payment of interest thereon, and the liquidation of the principal, as aforesaid, and shall, in no event, be used for, or appropriated for, any other purpose.

Appropriation of tax, relative to.

SECTION 6. That all necessary powers are hereby given to the said commissioners, or a majority of them, and to the holders of said railroad bonds, or coupons, whether for their own use, or in trust, to consummate any compromise, which may be agreed upon in pursuance of this act.

Authority to compromise granted to commissioners and bondholders.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 560.

An Act

To authorize certain military officers to take affidavits, testimony, and acknowledgments of the execution of deeds, and other instruments of writing, of persons in the military service of this state, or the United States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Certain military officers authorized to take affidavits, &c., out of the state.

That any person, holding the rank of major, or any higher rank, in the military service of the United States, under a commission from the governor of this state, may administer, and certify, any oath, or affirmation, or acknowledgment of any deed, or other instrument of writing, which any person, actually in such service, may wish to take, or make, whenever such officer, and person, shall be out of this state.

To have like effect as if taken before any civil officer in the state.

SECTION 2. Any oath, affirmation, or acknowledgment, specified in the first section of this act, when taken, and certified, according to this act, may be read, and used, in any place, or before any court, officer, or tribunal, in this state, for any purpose, with like force, and effect, as if administered, taken, had, made, or done, before any civil officer in this state, authorized to take, or administer, the same.

Affidavits and proof of military claims, relative to.

SECTION 3. That the affidavits, and proof of claims, required by the act for adjudicating military claims, approved the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-two, when made by any person in the military service of the United States, or where a civil officer, authorized to take such affidavit, and proof, cannot be had with reasonable convenience, may be made before any commissioned officer in such military service, with the same effect as if made before a civil officer: *Provided*, That the making of such affidavit, and proof, that the same could not be made, with reasonable convenience, before a civil officer, shall be certified by the officer, before whom the same shall be made, and the place where such affidavit-proof shall be made, together with the rank, company, and regiment, or other military division, to which, the officer, taking such affidavit, or proof, shall belong, shall appear in, or to, the said certificate.

Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 561.

An Act

To re-adjust, and settle, the assessed valuation of the county of Clarion.

WHEREAS, In consequence of the death of Myron Park, member of the board of revenue commissioners, from the Eighteenth judicial district, whilst on his way to attend the meeting of said revenue commissioners, the said district was deprived of proper representation thereat:

And whereas, Great injustice has been done to the county of Clarion, in said district, in largely increasing her assessed valuation, at a period when general depression has overtaken her industrial pursuits; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, surveyor general, and state treasurer, be and are hereby authorized to re-adjust the assessed valuation of the county of Clarion, and that, until said adjustment is made, the assessments therein made, for state purposes, shall be in accordance with the valuation made, prior to the year one thousand eight hundred and sixty-three.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 562.

An Act

Supplementary to an act, passed January twenty-ninth, one thousand eight hundred and sixty-three, authorizing the commissioners and controller of Allegheny county to compromise with the holders of the bonds of said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Annual revenue raised for payment of interest on bonds issued in compromise, and not required, shall become part of sinking fund.

When and how to be used.

That so much of the annual revenue, provided to be raised for the payment of interest, on bonds, to be issued in compromise, as may not, at the time, be required for the payment of interest on the said bonds, shall go into, and become a part of, the sinking fund, provided for in the act to which this is a supplement, there to remain, until, by reason of the acceptance of the offer of compromise, by other holders of county railroad bonds, the same shall be required for the payment of interest on the new bonds, accepted by them, from the date of said new bonds; and shall, in no event, be used for, or appropriated to, any other purpose whatever.

Commissioners of sinking fund may borrow money.

Proviso.

How money borrowed to be applied.

Authorized to apply an equal amount from the sinking fund for payment of loan. Sinking fund to continue until bonds are liquidated.

Exempt from attachment.

Bonds issued in compromise exempt from taxation.

Mode of cancelling bonds.

SECTION 2. That the commissioners of the sinking fund, provided for in said act, are hereby authorized, and empowered, to borrow money, to the amount of twenty-five thousand dollars, in anticipation of the receipt of said amount, by the county treasurer: *Provided,* They shall find it expedient.

SECTION 3. That said money, so borrowed, shall be applied, solely, to the liquidation of the bonds, issued in compromise of railroad indebtedness, under the penalties prescribed by section six, of the act to which this is a supplement; and the said commissioners are hereby empowered to apply an equal amount, from the sinking fund, to the payment of any loan, so made, by them.

SECTION 4. That the sinking fund, created by act of assembly, January twenty-ninth, one thousand eight hundred and sixty-three, and the supplement, shall continue to be annually provided for, until the bonds, issued in compromise, shall be ultimately liquidated, and shall be exempt from attachment, or other legal process, to divert it from the purpose, for which it is established; and the bonds, issued by the county and cities of Allegheny and Pittsburg, in compromise of their railroad indebtedness, and the interest thereon, are hereby exempted from taxation.

SECTION 5. That the cancellation of all bonds, purchased for said sinking fund, and of all coupons received by the treasurer, shall be effected, by writing, in red ink, across the face of each cancelled bond, the fact of such cancellation, and the date thereof; the seal shall be crossed with black ink, and the signatures, with red ink; and each coupon shall be punched with two, or more, holes.

SECTION 6. That the commissioners of the sinking fund, in case no bonds should be offered, or obtained, at rates below par, shall pay off the outstanding, new, bonds, at par, in rotation of numbers, beginning at the lowest number outstanding; and in the event of such bond, or bonds, not being surrendered, after six weeks' advertising, of the number, or numbers, to be paid, then the commissioners shall deposit the money therefor, in a bank, in the county of Allegheny; and the bond, or bonds, so advertised for, shall cease to draw interest thereon; and the holders of such bond, or bonds, shall look only to the deposit for payment of his, her, or their bond, or bonds; said advertising to be made in two newspapers, published in the city of Pittsburg, one in Philadelphia, and one in New York city.

Commissioners to pay off new bonds, in rotation, at par, in case none are offered below par.

In the event of none being surrendered, after advertising, the money therefor may be deposited in bank, and interest thereon cease.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 563.

An Act

To authorize William H. Schall, guardian of John Hubley Schall, to sell and convey certain real estate.

WHEREAS, John Hubley Schall, a minor child of George Schall, of Schuylkill county, owns several undivided interests, as tenant in common, in certain real estate, in the city of Philadelphia, and in the counties of Schuylkill and Berks, in the commonwealth of Pennsylvania, to wit: the undivided one fifteenth part of certain houses, and lots of ground, in the city of Philadelphia, conveyed to him by Edward B. Hubley, and others, by deed, dated sixteenth day of December, one thousand eight hundred and forty-eight, recorded in the recorder's office, in, and for, the city of Philadelphia, in deed book, A W M, number eighty-eight, page two hundred and twenty-two, et cetera; also, the undivided one-ninth part of a tract of land, in Rush township, Schuylkill county, known as the M'Pherson tract; also, the undivided one-ninetieth part of another tract of land, in said Rush township, Schuylkill county, known as the Walter Beatty tract; also, the undivided one-third part of a house, and lot, on Fifth street, in the city of Reading, in the county of Berks, containing thirty feet, in front, and one hun-

dred and thirty feet, in depth, devised to the said minor, by the will of the said Edward B. Hubley, deceased :

And whereas, The other owners of the above described real estate, competent to sell, are willing, and anxious, to dispose of their respective estates, as they deem advantageous; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Schall, of the borough of Orwigsburg, in the county of Schuylkill, aforesaid, guardian of the estate of the said John Hubley Schall, a minor, be and he is hereby authorized, and empowered, to sell, and dispose of, from time to time, at public sale, all the estate, right, title, and interest, of, in, and to, all, or any part, of the real estate, aforesaid, of the said minor, for such price, or prices, as the other owner, or owners, of the aforesaid property, shall sell at; and also, to sign, seal, and deliver, to the purchaser, or purchasers, thereof, in fee simple, good and sufficient deed, or deeds, of conveyances, jointly, with the other owner, or owners, for the respective estates of the said minor, in the aforesaid property, or any part thereof, discharged of all incumbrances whatsoever; and all such deed, or deeds, of conveyances, shall be good, and effectual, to pass the respective estate, or any part thereof, of the said minor, to the purchaser, or purchasers, in law, equity, or otherwise, as fully, and completely, and with the same effect, as if the said sale, or sales, and conveyances, had been made, under orders of the orphans' court, of the proper counties, respectively, made agreeably to the laws of the commonwealth of Pennsylvania, providing for the sale of the real estate of minors: *Provided*, That the said guardian shall, before receiving the proceeds of any such sale, give bond to the commonwealth, with such security, and in such an amount, as the orphans' court of Schuylkill county shall approve, conditioned for the faithful appropriation of the proceeds of all such sales, according to law.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 564.

A Further Supplement

To an act to incorporate the Clinton County Coal Company, approved April eighteenth, one thousand eight hundred and fifty-three, and changed to the name of the Eagleton Coal Company, by act of March twenty-fourth, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style, and title, of the Eagleton Coal Company, from and after the passage of this act, is hereby changed to the Eagleton Coal and Iron Company, with all the powers, privileges, and authorities, heretofore granted to the Eagleton Coal Company, by the act of March twenty-fourth, one thousand eight hundred and fifty-nine, and the several supplements thereto, and subject to all the liabilities, and restrictions, of the same, except as herein otherwise provided.

Name changed.

Powers and privileges.

SECTION 2. That the said Eagleton Coal and Iron Company are hereby authorized to extend their railroad, to form a connection with the railroad of the Farransville company, at such point as they may determine, and to construct such lateral branches, to their road, as they may, from time to time, deem necessary, in operating, and developing, the mines of said company; and for the purpose of making said extensions, and constructing said branches, purchasing rolling stock, and erecting improvements, necessary to the successful working of their property, the said Eagleton Coal and Iron Company are hereby authorized, and empowered, to increase their capital stock to any sum, not exceeding thirty-two thousand shares, in the whole, in such manner, and at such time, or times, as the board of managers of said company may deem proper: *Provided*, That no such increase shall be made, unless the consent of stockholders, owning two-thirds of the stock of said company, shall be first had and obtained.

Authorized to extend their road, make certain connection and construct lateral roads.

May increase capital stock.

Provide.

SECTION 3. That the board of managers of said company are hereby authorized to issue a second mortgage, to be signed by the president, and treasurer, of said company, of one hundred thousand dollars, secured upon the entire road, real and personal property of said company, together with all its corporate rights, and franchises; and they are hereby authorized to issue their bonds, secured by said mortgage, in sums of not less than one hundred dollars each, with, or without, interest coupons attached, at such rates of interest, and time, or times, of payment, as they may determine; and sell, and negotiate, the said

Board of managers authorized to issue a second mortgage.

Bonds.

bonds, at such prices, upon such terms, and in such manner, as they may deem expedient.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 565.

An Act

Relating to the estate of Rachel Parker.

WHEREAS, Rachel Parker, late of the city of Philadelphia, single woman, departed this life on the fifth day of April, Anno Domini one thousand eight hundred and sixty-three, leaving no heirs :

And whereas, Immediately before her death, she gave instructions to a conveyancer to prepare her last will and testament, a draft of which was made, and read to her ; whereupon, she declared that the same contained, and expressed, what she desired to leave, as her last will and testament ; and she thereupon requested that her said will should be engrossed and brought to her, ready to be executed, on the following Monday ; but, before that period arrived, she died, suddenly, and unexpectedly, on Sunday morning, without having executed her said will, whereby her estate has escheated to the commonwealth of Pennsylvania :

And whereas, The bequests in said will are chiefly for the benefit of poor, and aged, females, and some charitable, and benevolent, institutions, in Philadelphia, and the informer of the escheat has agreed to relinquish his right ; now, therefore.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the register of wills, of the city, and county, of Philadelphia, be and he is hereby empowered, and directed, to admit to probate, certain papers, offered to him for that purpose, and purporting to be the last will, and testament, of the said Rachel Parker, deceased, and to issue letters testamentary thereon, with the like effect, in all respects, as if the said papers had been duly executed, and attested, at least one calendar month before the decease of the said Rachel Parker, and proved, in conformity with the requirements of the several acts of assem-

bly, regulating the execution, attestation, and proof of wills; and all, and every, the devises, and bequests, in the said papers contained, are hereby confirmed: *Provided*, That nothing, herein contained, shall, in any wise, affect, or impair, the rights of any individual, or corporation, or prevent any claim, by such, as if this act had not been passed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 566.

An Act

To confirm a certain contract between Edwin M. Lewis, of the city of Philadelphia, and the Pennsylvania Coal Company.

WHEREAS, A certain contract, in writing, was, on the eighteenth day of December, one thousand eight hundred and sixty-two, made, and entered into, by, and between, Edwin M. Lewis, of the city of Philadelphia, and the Pennsylvania Coal Company, a corporation created by the laws of Pennsylvania, for the sale, and purchase, of a body of coal lands, in the township of Plains, and county of Luzerne, containing three hundred and seventeen acres, and one hundred and thirteen and one-half perches, and the surface right to about five acres additional:

And whereas, A portion of said lands are situate in that portion of said township of Plains, which formerly belonged to Wilkesbarre township:

And whereas, The said Pennsylvania Coal Company has no authority to purchase, and hold, lands, in the said township of Wilkesbarre, in consequence whereof, the said contract cannot be carried into full force and effect; for remedy whereof,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Pennsylvania Coal Company is hereby authorized, and empowered, to receive a deed of conveyance for, and to hold, and possess, the lands, mentioned in the preamble to this act, as fully, and effectually, as though the power to purchase,

and hold, the same, had been expressly given, before the making of the above recited contract.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 567.

An Act

Relative to the Union Mutual Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Union Mutual Insurance Company, of Philadelphia, is hereby authorized, and empowered, to create a capital stock of three hundred thousand dollars, to consist of fifteen thousand shares, of the par value of twenty dollars per share, and to receive subscriptions therefor, payable as follows: fifteen dollars on each share subscribed, in the outstanding scrip of the said company, and the remaining five dollars, per share, in cash.

Authorized to create a capital stock, partly payable in outstanding scrip, and partly in cash.

The outstanding scrip unconverted into stock may be consolidated, and new certificates issued therefor.

SECTION 2. That the outstanding scrip of the said company, which may remain unconverted, by the scrip-holders, into stock, under the first section of this act, may be consolidated, at the option of the scrip-holders, and new certificates be issued therefor, to be called "the consolidated scrip of 1863;" and, when so consolidated, shall be the first scrip redeemed, when the aggregate amount of the stock, and scrip, shall exceed the sum of four hundred thousand dollars.

Directors may redeem outstanding scrip.

Limitation.

SECTION 3. That when the outstanding scrip of the said company shall exceed the sum of two hundred thousand dollars, the directors may, at any time, pay off, and redeem, such portions of the same, as they may deem expedient, and proper: *Provided*, That in no case, shall the said scrip be paid off, to such an extent as to reduce the aggregate amount of capital stock, and scrip, below the sum of four hundred thousand dollars.

When dividend may be increased.

SECTION 4. That whenever the profits of the company shall, in any one year, exceed the sum necessary to enable the company to make a cash dividend of eight per cent., on the capital stock, pay six per cent., on the outstanding scrip, and make

a scrip dividend of twenty per cent., on the earned premiums of the company, it may be lawful for the board of directors to increase the dividend, on the capital stock, to ten per cent., out of any such excess of profits.

SECTION 5. That upon the policies of insurance, made after the passage of this act, the insured shall not be entitled to receive a certificate of profits, or scrip, where the same amounts to less than twenty dollars; and all fractional sums, between the several multiples, of twenty dollars, shall be passed to the contingent fund of the said company; and no certificate, for any sum, shall issue to any person, entitled to receive the same, unless the said certificate shall be claimed, within two years after the declaration of the dividend, for which said certificate is to issue; but the amount thereof shall, at the expiration of that time, belong to the said company: *Provided*, That due notice of the expiration of said period shall be given, by advertisement, to be published once a week, for two months, in two daily newspapers, published in the city of Philadelphia; the expense of which advertising to be paid by the claimant of the certificate, where the same is claimed, and issued, before the expiration of the time aforesaid.

Certificates of profits, or scrip, issued to the insured, relative to.

Certain notice to be given to claimants of certificates.

SECTION 6. That subscriptions may be received for so much of the capital stock of three hundred thousand dollars, authorized to be created, and issued, by this act, as shall remain unsubscribed for, by the holders of the scrip, after twenty days' notice given, of the time, and place, of making said subscription, by publication, in two daily newspapers, in the city of Philadelphia; such subscriptions to be paid, in cash, and in the scrip, or certificate, of said company, issued for profits, prior to the date of this act, in the manner, at such times, and upon such terms, as the board of directors of said company may determine: *Provided*, That this section shall not take effect, until it shall have been accepted by a majority, in amount, of the holders of the present outstanding scrip of the company.

When and how subscriptions to capital stock may be received

This section not to take effect until accepted by majority of scrip-holders.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 568.

An Act

To prevent frauds upon travelers.

Preamble.

WHEREAS, Numerous frauds have been practised upon unsuspecting travelers, by means of the sale, by unauthorized persons, of railway, and other tickets; and also, upon railroads, and other corporations, by the fraudulent use of tickets, in violation of the contract of their purchase; now, therefore, with the view of preventing, and punishing, such frauds,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Agents for the sale of railroad tickets, &c., required to have certificates of their authority.

That it shall be the duty of the owner, or owners, of any railroad, steamboat, or other conveyance, for the transportation of passengers, to provide each agent, who may be authorized to sell tickets, or other certificates, entitling the holder to travel upon any railroad, steamboat, or other public conveyance, with a certificate, setting forth the authority of such agent, to make such sales; which certificate shall be duly attested, by the corporate seal, if such there be, of the owner of such railroad, steamboat, or other public conveyance; and also, by the signatures of the owner, or officer, whose name is signed upon the tickets, or coupons, which such agents may sell.

Persons, unauthorized, prohibited from selling tickets, &c.

SECTION 2. That it shall not be lawful for any person, not possessed of such authority, so evidenced, to sell, barter, or transfer, for any consideration whatever, the whole, or any part, of any ticket, or tickets, passes, or other evidences of the holder's title, to travel, on any railroad, steamboat, or other public conveyance, whether the same be situated, operated, or owned, within, or without, the limits of this commonwealth.

Penalty for violating the provisions of this act.

SECTION 3. That any person, or persons, violating the provisions of the second section of this act, shall be deemed guilty of misdemeanor, and shall be liable to be punished, by a fine, not exceeding five hundred dollars, and by imprisonment, not exceeding one year, or either, or both, in the discretion of the court in which such person, or persons, shall be convicted.

Agents to exhibit their authority, when requested, and certificate to be posted in conspicuous place.

SECTION 4. That it shall be the duty of every agent, who shall be authorized to sell tickets, or parts of tickets, or other evidences of the holder's title to travel, to exhibit, to any person desiring to purchase a ticket, or to any officer of the law, who may request him, the certificate of his authority thus to sell, and to keep said certificate posted, in a conspicuous place, in his office, for the information of travelers.

Railroad and steamboat companies, &c., to provide for the redemption of tickets or coupons not used.

SECTION 5. That it shall be the duty of the owner, or owners, of railroad, steamboat, and other public conveyances, to provide for the redemption of the whole, or any parts, or coupons, of any ticket, or tickets, as they may have sold, as the purchaser, for any reason, has not used, and does not desire to use, at a rate which shall be equal to the difference between

the price paid for the whole ticket, and the cost of a ticket between the points, for which the proportion of said ticket was actually used; and the sale, by any person, of the unused portion of any ticket, otherwise than by the presentation of the same, for redemption, as provided for in this section, shall be deemed to be a violation of the provisions of this act, and shall be punished, as is hereinbefore provided: *Provided*, That this act shall not prohibit any person, who has purchased a ticket, from any agent, authorized by this act, with the *bona fide* intention of traveling upon the same, from selling any part of the same, to any other person, if such person travels upon the same.

Prohibition as to the sale of the same.

Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 569.

An Act

To authorize the Treasurer of the Commonwealth to pay to George R. Berrell money, overpaid by him, as an auctioneer.

WHEREAS, George R. Berrell, an auctioneer, in the city of Philadelphia, alleges, that he has paid to the treasurer of the commonwealth, for licenses to act as an auctioneer, the sum of five hundred dollars, per annum, for the years one thousand eight hundred and sixty, one thousand eight hundred and sixty-one, and one thousand eight hundred and sixty-two; and that the law, relating to auctioneers, required him to pay but one hundred dollars, per annum, because, as he further alleges, his sales did not, in any year, aforesaid, amount to fifty thousand dollars; and that he, thereby, paid to the treasurer of the commonwealth, twelve hundred dollars more than was required, by law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the auditor general to examine the accounts of said George R. Berrell, as auctioneer, aforesaid; and if, upon such examination, it shall be found that the said George R. Berrell, by reason of the facts set forth in the preamble, has been erroneously classed, as an auctioneer, he

shall certify the fact to the state treasurer, with the amount, if any, which the said George R. Berrell has overpaid, for license, by reason of such erroneous classification; and, thereupon, the state treasurer shall pay, to the said George R. Berrell, the amount so certified to have been overpaid by him.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 570.

An Act

Relative to the Scranton Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be and he is hereby authorized to dispense with the publication, required by the second section of the act of May first, one thousand eight hundred and sixty-one, relating to free banks, in the case of the application by W. W. Winton, Burton Kingsbury, George Sanderson, George S. Kingsbury, and others, their associates, to organize a bank, to be called the Scranton Bank, to be located at Scranton, Pennsylvania, under the provisions of the said free banking law: *Provided*, That all other requisites, and provisions, of said law, be complied with, in its organization.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 571.

A Supplement

To an act relating to the Catasauqua and Fogelsville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall, and may, be lawful, for the Catasauqua and Fogelsville Railroad Company, at such times, hereafter, as they may desire, to project, and construct, additional tracks, sidings, turnouts, depots, water stations, engine houses, telegraph wires, and all necessary buildings, houses, shops, and offices, and re-locate their road, at such points as they may deem necessary, except within two miles of Fogelsville; and, in exercising the authority, conferred by this act, the said company shall be entitled to all the rights, and privileges, and be subject to all the restrictions, of the several acts of assembly, now in force, affecting said company.

Authorized to construct additional tracks, depots, telegraph wires, &c., and re-locate their road.

Subject to

SECTION 2. That the said company shall have the right to extend their branches four miles, in addition to what is already authorized, and also, so as to connect with their ore beds, at or near the village of Bath.

May extend their branches and connect with ore beds.

SECTION 3. That before entering upon, and occupying any lands for said purposes, the said company shall pay, or secure to be paid, to the owners of the land, the amount of damages, if any, accruing to them, if the terms can be mutually agreed upon, and in case they can not, the said company shall apply, by petition, to the court of common pleas of the county wherein the land is situated, setting forth the facts, and asking for the appointment of viewers; and thereupon, the court shall appoint five disinterested persons, to view, determine, and assess, the damage, if any, which may accrue to the owner, by reason of the taking and using of the same; and the award of a majority of the viewers, when filed in the said court, shall be final and conclusive, without appeal by either of the parties.

Damages, relative to.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 572.

An Act

To authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Philadelphia may, at any time hereafter, grade, curb and pave, or cause to be graded, curbed and paved, Woodland street, from the intersection of the same with Market street, in the Twenty-fourth ward, of the proper width, as laid down on the plan of said city; and it shall be the duty of the chief commissioner of highways of the said city, immediately, to give thirty days' notice of the intention so to grade, curb and pave said street, or any portion thereof, to any plank road, turnpike or passenger railway company, occupying or using the same portion of said street; and upon the expiration of said notices, shall enter into a contract, with a competent paver or pavers, to do said work, which shall be paid for, by warrants drawn, by the chief commissioner of highways, duly countersigned by the controller, on the treasurer of said city; and the said city shall collect the cost of said curbing and paving, from the owners of property, fronting on said street, as provided by law; the said city, before commencing to curb and pave, as aforesaid, shall pay unto the Delaware County Turnpike Road Company, the sum of thirty-three hundred and twenty-five dollars, in full consideration for their chartered privilege to collect tolls on said portion of said street; and said company shall not be entitled to demand, or receive, any toll for the use of said street thereafter, or exercise any chartered privilege over the same; and so much of the capital stock of the Delaware County Turnpike Road Company, as was specifically subscribed for making that part of their road, as above mentioned, shall become extinguished upon re-payment to the holders thereof, by the company, the par value of such stock; the Philadelphia and Darby Passenger Railway Company shall be required to keep in repair, only so much of said street as may be within their tracks; that the city of Philadelphia, before taking possession of that portion of the Darby Turnpike or Plank Road Company, between Thirty-ninth and Forty-first streets, the said city of Philadelphia shall pay, or cause to be paid, to the treasurer of the said, the Darby Turnpike or Plank Road Company, the cost of that portion of said road; the same to be computed at the average of the original cost of the whole of said road.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 573.

An Act

To validate the title to real estate, late of William H. James, in the county of Chester, sold to Wellington C. James.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the title of Wellington C. James, to a tract of land in West Town township, Chester county, containing ninety-six acres, more or less, conveyed to him by T. Morris Perot, trustee of William H. James, and others, by deed dated November twenty, one thousand eight hundred and sixty-one, and recorded in the recorder's office of said county, in deed book 8, sixth page, one hundred and fifty-eight, is hereby validated and confirmed, as effectually as if the said land had been sold to him, by the said trustees, at public sale.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 574.

A Supplement

To an act to incorporate the Jamestown and Franklin railroad company, approved April fifth, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Jamestown and Franklin Railroad Company shall be able, and capable in law, to purchase, take, receive and hold in fee simple, or for less estate, or to lease, coal and mineral lands and rights, with their appurtenances, in the counties of Mercer and Venango, or either of them, not exceeding five thousand acres, and shall have power to mortgage, sell, lease, ties. Authorized to purchase or lease coal and mineral lands, in Mercer and Venango counties.

Privileges.

or otherwise dispose of, the same, or any part thereof, and shall have the right to open mines, to mine, and prepare for market, coal, iron ore, limestone, fire-clay, and other minerals, to transport to market, and dispose of the same, and to do all such other acts and things as may be necessary, and proper, for the development of the said coal and mineral lands and rights.

May construct lateral railroads.**Limitation.**

SECTION 2. That the said company shall have power to construct, equip and work, branch or lateral railroads, not exceeding ten miles in length, from any part of their road, and in doing so, shall have all the powers, rights and privileges, contained in their original charter: *Provided*, That no such branch, or lateral road, shall be extended north of the French creek, or to the Oil creek.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and sixty-three.

No. 575.

An Act

To allow the trustees of the First Presbyterian congregation of the city of Allegheny, to vacate a certain grave yard, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Authorized to vacate a certain burial ground and remove the dead therefrom.

That the trustees of the First Presbyterian congregation, of the city of Allegheny, be and they are hereby authorized, and allowed, to vacate the ground purchased by them, from Thomas Sample, and wife, known as the grave yard lot, and lately used for purposes of burial, situate on Juniata street, in the city of Allegheny, aforesaid; and remove the dead therein buried, and for the purpose of being again properly buried elsewhere, they are hereby authorized to purchase any other ground that may be found necessary to that end, or for the further purpose of burial by said congregation: *Provided*, That the grave-stones or monuments, that now designate, or mark, any particular graves, shall also be removed, and erected upon the corresponding graves of such new burial ground, unless otherwise directed by their surviving friends and relations.

Other ground to be purchased.

Removal of grave stones, &c., relative to.

Notice of removal to be published.

SECTION 2. That before any bodies shall be removed, as provided in the preceding section, the said trustees shall publish

notice of such intended removal, for at least thirty days, in two newspapers in the city of Pittsburg, in the county of Allegheny; and the costs of such removals, and re-interments, shall be paid by the surviving relatives, or friends, making the same, except in cases hereafter provided for.

Cost to be paid by relatives or friends.

SECTION 3. That the said trustees shall have authority to improve or sell the ground or grave yard, hereby vacated, and apply the proceeds of said sale, in such way, and for such purposes, as may seem most expedient to them, and for the best interests of said congregation; and the title of all the lot-holders, in such grave yard, shall vest in said trustees, who are authorized to settle with the lot-holders for their value, to be determined by agreement or arbitration; and wherever no friends or relatives are found, to remove the remains from any lots, and the same are removed by the said trustees, at the expense of the church, the title to such lots shall revert to, and vest in, said trustees, in fee simple.

The ground vacated may be improved or sold.

How proceeds to be applied.

Title to lots, relative to.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 576.

A Supplement

To the act to incorporate the Southern Mutual Fire Insurance Company of York county, approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the operations of the Southern Mutual Fire Insurance Company, of York county, be and the same are hereby extended to the townships of Lower Windsor and Shrewsbury, in said county.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 577.

An Act

To incorporate the Brookville Cemetery Company, of Brookville, Jefferson county.

Preamble.

WHEREAS, Certain citizens of this commonwealth, hereinafter named, have purchased certain lands adjoining the borough of Brookville, Jefferson county, to be used, and occupied, for the burial of the dead; therefore,

Corporators

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That Isaac G. Gordon, John S. King, Orlando Brown, John P. Wann, Wm. Dickey, Christopher Fogle, Daniel Fogle, Enoch Hall, H. Matson, Uriah Matson, Joseph E. Hall, John J. Y. Thompson, Thomas K. Litch, H. R. Fullerton, E. H. Darrah K. L. Blood, Samuel Craig, William C. Evans, W. D. J. Marlin, G. W. Andrews and Doctor A. M. Clark, and their successors, are hereby created, and erected, into a body politic and corporate, in deed and in law, by the name, style and title of the Brookville Cemetery Company, and by that name shall have perpetual succession, and be able to sue and be sued, in any court of law, or equity, and may have, and use, a common seal, and the same, at their pleasure, to alter, or renew; and shall have power to hold, and enjoy, to them and their successors, all such land as they now own, or may hereafter purchase, not exceeding thirty acres; and they shall have authority to receive gifts, and bequests, for the purpose of ornamenting, and improving, said cemetery; and to hold such personal property as may be necessary for the purpose of carrying out the object of this act.

Title.**Powers and privileges.****Managers.****Election of officers.**

SECTION 2. That the affairs of the said corporation shall be conducted by a board of managers, to be composed of a president, secretary, treasurer, and three of an executive committee, who shall be elected by a majority of the votes of said corporators, or stockholders, present, in person, or by proxy, at the time and place of such election; which time and place shall be fixed by the said corporators, or a majority of them; and the officers, so elected, shall hold their offices for one year, and until others are elected to fill their places.

Vacancies.**Powers and duties of managers.****By-laws.**

SECTION 3. The president, secretary, treasurer, and executive committee, shall have power to fill all vacancies which may occur in their own body; and shall have power to lay out and ornament the ground belonging to said company; to erect such buildings thereon, as may be necessary for the enjoyment of the same; to lay out, sell, and dispose of the burial lots; to appoint all necessary officers, and their several duties, and to make such by-laws, rules and regulations, as they may deem proper, for conducting the affairs of said corporation, for the government of the members and visitors to said cemetery, for

the regulation of the grounds, and the burial of the dead therein, and for the transfer of lots, and evidence thereof; which said by-laws may be enforced by such penalties, as the said managers may attach thereto, and to be sued for, and collected, before any justice of the peace, in like manner as similar sums of money, and penalties of a similar character, are now by law collected; *Provided*, No single penalty shall exceed ten dollars. Penalties.

SECTION 4. That every lot conveyed, in said cemetery, shall be held by the proprietor, for the purpose of sepulture alone, transferable only with the consent of the managers, or a majority of them, and shall not be subject to attachment, or execution; and all the grounds held by the corporation, and actually inclosed for burial purposes, shall be exempt from attachment, or execution, and from all taxes, while so used, for the purposes of sepulture. Lots to be held for sepulture only. Transferable. Exempt from attachment and taxation.

SECTION 5. That upon a failure, by death, removal, or otherwise, of the foregoing named corporators, or in case, at any time, they should neglect, or refuse, to exercise their corporate powers, then, and in that case, the court of common pleas of the county of Jefferson, upon petition of any person, or persons, interested, shall have power to appoint any number of persons, not exceeding twenty, who shall have all the powers of the original corporators. In case of failure of corporators to act, court may appoint successors.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 578.

An Act

To incorporate the Jersey Shore Cemetery.

WHEREAS, Mark Slonaker, late of Lycoming county, deceased, by his last will and testament, bearing date October twenty-second, Anno Domini one thousand eight hundred and sixty-one, duly proven and entered of record, in the register's office at Williamsport, in the said county of Lycoming, did, among other things make the following devise, to wit: Item five—I give, devise and bequeath unto James Gamble, John J. Sanderson, John H. Humes, George P. Nice and Joseph Ruffhead, or the survivors of them, in trust to, and for the sole Preamble.

use and benefit of, the Jersey Shore Cemetery Company, which I desire to be incorporated, as soon after my decease, as practicable, all that certain messuage, tenement and piece of land, situate in Porter township, aforesaid, adjoining lands of George F. Stone, on the west and north, James Gamble, on the east, and Jacob W. Pfoutz, on the south, known as the cemetery grounds, with the dwelling house thereon erected, for the use of a sexton, excepting and reserving therefrom, such lots as may have been sold and conveyed, or deeds executed therefor, previous to the time of my decease, and excepting and reserving the two lots selected for my own use; it is my wish, and I do hereby order and direct, that the Jersey Shore Cemetery Company shall be composed of all the present and all the future lot owners; the officers to consist of a president, four managers, a treasurer, and a secretary; the president and managers to constitute a board, for the transaction of all the business of the company, the enactment of all suitable by-laws, for the government of the company, and proper regulation of the cemetery grounds, &c.; the officers to be elected annually, by the lot owners, each lot to entitle the owner, or owners, to one vote only, where fully paid for, and the by-laws are complied with, voting to be in person, and not by proxy; the board of managers, as aforesaid, shall settle with the treasurer, annually, immediately preceding the election and publish statement of the receipts and expenditures, for the preceding year; no lots to be sold, on credit, or possession given, until paid for, nor at a price below that assessed upon them in my book, kept for that purpose; all deeds for lots to be signed by the president and secretary, and attested by the seal of the corporation, and to contain such restrictions and conditions, as will secure obedience to all by-laws, and carry out my intentions, as herein expressed; the dwelling house, and lot, attached thereto, with the privilege of mowing the unsold portions of said enclosure, or grounds, to be rented annually, to a suitable person, to act as sexton, at a stated annual rent, and the buildings, fences, grounds, roads, walks, mounds, trees, and shrubbery, all to be kept in good order and repair, under the special supervision of the said board of managers; any balance remaining in the treasury, at the expiration of each year, beyond what is needed for repairs and improvements, shall be invested in real estate security, at interest which is to be collected annually, and invested, with any surplus funds, of the preceding year, and, when a fund shall have thus been accumulated, sufficient, in the judgment of the board of managers, to effect the purpose, it is my wish, and desire, that a female infant school shall be instituted, upon such plan as will, in the judgment of said board, render said fund most practically useful; it is not my intention, to restrict the said cemetery company to the name by which I have designated the same, but, whenever incorporated, by whatever name, this legacy and devise is to vest full title, in the premises aforesaid, in the said corporation; and, in the meantime, or until said company shall be incorporated, I do hereby invest the trustees, above named, with full power and authority to act as the board of managers, as hereinbefore specified, and until other officers are duly elect-

ed, under the charter of incorporation, and, for that purpose, I do hereby authorize, and direct, my executors, to deliver to the said trustees, all necessary books, maps, and papers, pertaining to said cemetery grounds; for the purpose, therefore, of establishing and perpetuating such cemetery:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said James Gamble, John J. Sanderson, John H. Humes, George P. Nice and Jos. Ruffhead, with such other persons as have, heretofore, and as may, hereafter, purchase lots, in said cemetery grounds, and their successors, be, and they are, hereby, created a body politic and corporate, in law, by the name, style and title of the Jersey Shore cemetery, and, by that name, shall have perpetual succession, and be able to sue, and be sued, in any court of law or equity, and may have, and use, a common seal, and the same, at their pleasure, alter and renew, and shall have the right and power to have, hold, and enjoy, to them, their associates and successors, all the real estate, so, as aforesaid, devised and bequeathed to them, by the said Mark Slonaker, under the terms and conditions contained in the said last will and testament, and to purchase, have, hold, and enjoy, to them and their successors, any real estate, necessary for cemetery purposes, adjoining, or in the vicinity of, the aforesaid real estate, or cemetery grounds, not exceeding, in the whole, twenty-five acres; and the said corporation shall have authority to receive gifts, or bequests, for the purpose of ornamenting, or improving, said cemetery grounds, and to hold personal property, such as may be deemed necessary, to carry out the object of this act, and all the power and authority necessary to carry out the intention of said testator, as expressed in his last will and testament, aforesaid.

Corporators

Name.

Privileges.

SECTION 2. The officers of the said corporation shall consist of a president, four managers, a secretary, and a treasurer, who shall be elected annually, on the second Monday of May, in each and every year; notice of said election to be given, by publication in one newspaper, published in said county, or by written or printed handbills, at least fifteen days prior to the time of holding the same; said officers to be elected by a majority of the members of the corporation, agreeably to the provisions of the aforesaid last will and testament.

Election of officers.

Notice.

SECTION 3. That the president and managers shall fill all vacancies which may occur, by selecting a lot-holder to fill the same, and shall have power to manage and conduct the business of said corporation, to lay out, and ornament, the grounds of said cemetery, to erect such buildings thereon, as may be necessary for the enjoyment of the same, to lay out, sell, and dispose of, burial lots, to appoint all necessary officers, and fix their several duties, and to make such by-laws, rules and regulations, as they may deem proper, for conducting the affairs of the corporation, for the government of lot-holders, and visitors to the cemetery, and for the transfer of lots, and the evidence thereof: *Provided always,* That the same shall be agreeably to the directions, terms, and conditions, of the said last will and testament.

Vacancies.

Powers and duties of president and managers.

By-laws.

Provide.

Lots to be held
for sepulture
only.

Transferable.

Exempt from
attachment and
taxation.

Corporators or
officers not to
receive compen-
sation.

How proceeds
to be applied.

Treasurer to
give security.

Opening roads
prohibited.

Penalty for in-
juries to tombs,
&c.

SECTION 4. That every lot conveyed, in said cemetery, shall be held by the proprietor, for the purpose of sepulture alone, transferable, only, with the consent of the president and managers, and shall not be subject to attachment, or execution, or other process, against the grantee, or grantees; and the said cemetery grounds, and property, shall be forever exempt from taxation.

SECTION 5. That the corporators, thus created, shall derive no personal or pecuniary advantage, or profit, thereby, and shall not receive any pay, or compensation, for the performance of any duties that shall devolve upon them, as such; the president, managers, secretary, or treasurer, shall not be entitled to receive any pay, or compensation, as such; the whole proceeds of the sale of lots, and other income, are hereby declared, and directed, to be appropriated according to the provisions of the said last will and testament, and to such outlays, and expenditures, as are incidental thereto; the treasurer shall, before entering upon the duties of his office, give adequate and approved security, for the faithful discharge of his duties, in such sum as may, from time to time, be fixed by the president and managers.

SECTION 6. That no streets, or roads, shall hereafter be opened through the lands of said corporation, except by, and with, the consent of two-thirds of the members of the corporation; and that any person, who shall wilfully destroy, mutilate, deface, injure or remove, any tomb, monument, grave-stone, or other structure, placed in the cemetery aforesaid, or any fence, railing, or other work, for the protection or ornament of said cemetery, or of any tomb, monument, grave-stone, or other structure, placed therein, as aforesaid, or shall wilfully destroy, cut, break, or remove, any tree, shrub, or plant, within the limits of the said cemetery, or shall shoot or discharge any gun, or other fire arms, within the limits thereof, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before any justice of the peace, of the county of Lycoming, be punished by a fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five, nor more than fifty dollars; or shall, on conviction thereof, in the court of quarter sessions of said county, be punished by a fine, as aforesaid, and by imprisonment, according to the aggravation of the offence, at the discretion of the court.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 579.

An Act

To incorporate the Bald Eagle Valley Harbor Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Philip M. Price, Allison White, Edmund Blanchard, Corporators. James Gamble, John Jones, L. A. Mackey, and all persons, who are now, or may hereafter be, associated with them, be and they are hereby erected into a body politic, and corporate, in deed and in law, by the name and style of the Bald Eagle Valley Harbor Company, and by that name, shall have perpetual succession, and be able to sue and be sued, in any court of law or equity, and sue for, and recover, every debt or debts due to said corporation, to have power to purchase, take, hold, sell, and convey, for the use of said corporation, any and all kinds of property, real, personal, or mixed, by gift, grant, bargain, sale, will, devise, or bequest, or otherwise, from any person, or persons, whomsoever, capable of making the same; and that the above named corporators, or their assigns, be and they are hereby authorized, and empowered, to make and construct, for the purpose of transporting and harboring coal, lumber, and other materials therein, a harbor, or basin, commencing at the intersection of the Bald Eagle Valley railroad, with the Bald Eagle Crosscut canal, near Lock Haven, and to take from said Crosscut canal, such quantity of water, for such purposes, as said corporation may require: *Provided,* That the water taken from said canal, be returned to the same, excepting leakage, and evaporation; and that the construction of said harbor, or basin, shall not, at any time, interrupt, or injure, in any way, the navigation of said Crosscut canal: *And provided further,* Whenever the said harbor, or basin, shall cross a public road or highway, it shall be the duty of said corporators, or assigns, to erect a suitable bridge, or bridges, over the same. Privileges.

SECTION 2. That before the construction of the Bald Eagle Valley harbor, through any lands, not owned by the above named corporators, or either of them, they shall tender to the owner, or owners thereof, compensation for any damage they, or any of them, may sustain, by such construction; but if the said owner, or owners, of any such lands, shall refuse to accept the same, then it shall be the duty of said corporators, their associates, or assigns, to file a bond, with the prothonotary of the court of common pleas, of Clinton county, with sufficient surety, to secure to said parties, for the damage or damages, so sustained by them; which bond is to be approved by any of the judges of the court aforesaid; and on application of the owner, or owners aforesaid, or of the said corporators, or corporation, to the said court of common pleas, the said court shall Damages.

appoint three disinterested persons, to assess the damages sustained by said owner, or owners, taking into consideration, the advantages of the said Bald Eagle Valley harbor, to the balance of their lands, or property, adjacent thereto; which said persons, so appointed by said court, shall be duly sworn, or affirmed, justly and equitably to assess said damages, taking into consideration the advantages aforesaid; and they, or a majority of them, shall make their report, in writing, and file the same, in the office of the prothonotary of said county; and if the report, aforesaid, be confirmed by said court, judgment shall be entered thereon, with stay of execution, for thirty days from the date of confirmation.

By-laws.

SECTION 3. That the members of said corporation, who are, or may be entitled to vote, at any election of officers, shall have full power, and authority to make such rules, and by-laws, as shall be necessary for the government, and promotion, of the interests of said corporation: *Provided*, That no rule, or by-law, as aforesaid, shall be valid, if inconsistent with this act, or the constitution and laws of this state, or of the United States.

Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 580.

An Act

To authorize the trustees of the congregation of the Union church, of Mount Holly Springs, to sell real estate.

WHEREAS, A certain lot of ground was granted, by parol, to the congregation of the Union church, of Mount Holly Springs, by Joseph Knox and John M'Clure, about the year one thousand eight hundred and twenty-six, for the purpose of erecting thereon a Union house of worship:

And whereas, The Methodist Episcopal portion of the said congregation has erected a separate place of worship, for which, large indebtedness has been incurred; therefore,

SECTION 1. *Be enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That William B. Mullen and Robert Given, trustees of the said congregation, or their successors in office, he and they are

hereby authorized and empowered to sell, at public or private sale, and convey the same, by deed of conveyance, in fee simple, to the purchaser thereof, sixty feet in front, and sixty-five feet in depth, of the aforesaid lot of ground, with the church building erected thereon, and the appurtenances, subject to a right of way, eight feet wide, on north side of said lot, at all times of free ingress, egress and regress, into and over said part of lot, so conveyed, to the grave yard in rear of the same, situated in the village of Mount Holly Springs, in South Middleton township, Cumberland county, and granted, as aforesaid, to the congregation of the Union church, of Mount Holly Springs, and apply one half of the net proceeds of such sale to the indebtedness incurred by the Methodist Episcopal portion of the said congregation, in the erection of a separate place of worship, and the residue thereof, to the erection of a new Union house of worship, or such religious, or educational, purposes, as the said trustees may think proper: *Provided always*, That the proceeds of such sale be applied, exclusively, to the purposes herein set forth: *And provided further*, That the deed, made by the said trustees, or their successors in office, for the said part of lot, as aforesaid, be subject to the approval and confirmation of the court of common pleas, of Cumberland county.

JOHN CESSNA,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 581.

An Act

To incorporate the Elk Hill Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Richmond, Charles P. Wurtz, Dwight N. Lathrope, George L. Morss and Alfred P. Wurtz, of Luzerne county, their associates, successors and assigns, and all such persons and parties, companies or corporations; as shall become stockholders in the company hereby incorporated, shall be, and they are hereby, constituted a body politic and corporate, by the name and style of the Elk Hill Coal Company, to be located at, or in the vicinity of, Dickson, Luzerne county, Pennsylvania. Name.

Seal.	nia, and by said name, style and title shall have succession, and a common seal, with power to alter the same, at pleasure, and shall have power to sue and be sued, plead and be impleaded, in any court of this commonwealth, or elsewhere; and to appoint all necessary agents and assistants, and may have all the rights and power necessary to carry on, manage and develop their business, as a coal and manufacturing company, in the mining and preparing of coal, in all the various ways, and the manufacturing and preparing of lumber, and fitting it for market, as they may deem desirable, and to open mines, sink shafts, erect machinery, to make mine roads, also lateral railroads, to connect with other roads, none of which shall exceed four miles in length, and generally to make and vend, sell and dispose of, all such coal, lumber, materials and articles, as they may deem proper or necessary, in the prosecution of their business, and, for that purpose, shall have power to purchase and hold, in fee simple, under lease, or otherwise, not exceeding one thousand acres of land, and to purchase and hold, all such personal, and other property, as may be necessary or convenient for the prosecution of their business, and to sell and dispose of the property, real and personal, of said company.
Powers and privileges.	
Subscriptions to stock.	SECTION 2. That a majority of the corporators, herein named, may proceed to open books, for subscription to the capital stock of said company, at Dickson, and when six hundred shares of stock are subscribed for, and fully paid, in money or in property, as herein provided, the corporators, named in this act, or a majority of them, shall call a meeting of the stockholders, for holding the first election of directors of said company, and, when said election is made, this act shall take full effect; each share of stock shall be entitled to one vote, and stockholders may vote in person, or by proxy
When first election of directors to be held.	
Votes.	
Capital stock.	SECTION 3. That the capital stock of said Elk Hill Coal Company shall be sixty thousand dollars, to be divided into shares of fifty dollars each, with the right and power, in said company, to increase its capital stock, from time to time, as it may elect, to any sum, not exceeding the whole cost, to said company, of lands, buildings, works, improvements, materials, stocks and other property, but, in any event, not to exceed the sum of two hundred and fifty thousand dollars; the subscription to the capital stock may be made payable in money, or in real or personal property, appropriate to the business contemplated by this act, at a fair valuation, to be fixed upon by a majority, in interest, of its stockholders, at the time of such purchase; and such purchase may include the real and personal estate, leases and contracts, heretofore belonging to parties associated jointly in business, and known by the name and firm of Richmond and Company.
Limitation.	
Subscriptions may be paid in money or real or personal property.	
The purchase may include the property, &c., of a certain firm.	
Management.	SECTION 4. That the affairs of said company shall be managed and conducted by a board of directors, to consist of not less than three, nor more than thirteen, as may be determined, from time to time, by the stockholders, at any annual meeting; said board of directors shall be stockholders, and shall be elected annually, after the first election, as hereinbefore provided for, and shall hold their offices for one year, and until their successors are elected; but any failure or omission to elect such
Election of directors.	

directors, annually, shall in nowise impair or affect, meanwhile, the rights and powers of those holding over, or the rights and interests of said company, in any way; said board of directors shall elect a president from one of their number, and shall appoint a treasurer, secretary, and such other officers and agents as they may deem necessary, to manage the affairs of the company, and shall fill all vacancies occurring in their own body, until the next succeeding election, by the stockholders; and a majority of said board shall form a quorum for the transaction of business; they shall have power to make by-laws, for the regulation of the affairs of the company, subject to the revision and approval of the stockholders, and not inconsistent with the laws of this commonwealth.

Officers.

Vacancies.

Quorum.

By-laws.

SECTION 5. That said company may borrow money, and create indebtedness, in such way and manner as the board of directors may deem necessary, for the prosecution and management of the business of the same, and issue the securities of said company therefor, in such form and manner, and payable in such places, as they may deem proper, at a rate of interest, not exceeding seven per centum, and dispose of such securities, in such manner, and at such places, as such board may direct.

Authorized to borrow money and issue certificates therefor.

SECTION 6. That said company shall pay, into the treasury of the commonwealth, a bonus of one half of one per centum, on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such other tax as is now, or may hereafter be, imposed, by law, on corporations; and the stockholders of said company shall be individually liable, for all debts due mechanics, workmen and laborers, employed by said company, and for country produce, to be sued for and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That executors, administrators, guardians, and all other trustees, who may hold stock, in their representative capacity, shall be entitled to represent the same, without being subject to any personal liability therefor, or on account thereof; and that persons holding stock, pledged, by the owners thereof, as collateral security, shall not be held personally subject to any liability, as stockholders, and shall not be entitled to represent said stock at the meetings of stockholders; but, that the owners thereof, shall be entitled to such representation, as fully as though no such pledge had been given: *And provided further*, That the legislature hereby reserves the right to amend, alter or repeal this act, at any time, in such manner, however, as shall do no injustice to the stockholders.

Bonus and tax to State.

Individual Liability.

Exceptions.

Reservation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighth day of June, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 582.

An Act

To authorize the construction of a bridge over Oil creek.

Construction of
bridges autho-
rized.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Albert G. Egbert, George W. M'Lintock, and Charles Hyde, their heirs, and assigns, be and hereby are, authorized, to construct, maintain, and keep up, a bridge, across Oil creek, in the township of Cornplanter, in the county of Venango, at or near, the place where the road leading from Cherrytree to Plumerville crosses said creek, and to erect gates, and demand, and receive tolls, for crossing the said bridge, at such rates, as shall be fixed, from time to time, by the court of quarter sessions of Venango county.

subject to.

SECTION 2. That all general laws of this commonwealth, for the protection of bridges, are hereby made applicable to the afore-said bridge; and all remedies given to bridge companies, by general laws, against violations of the same, and injuring bridges, and evading payment of tolls, are hereby given to the said Albert G. Egbert, George W. M'Lintock, and Charles Hyde, their heirs, and assigns.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 583.

A Further Supplement

To the act incorporating the Mutual Fire Insurance Company of Berks county, approved January thirty-first, Anno Domini one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That it shall and may be lawful for the boards of managers of said company to adopt all by-laws, rules and regulations necessary for the well government of the affairs of said corporation, and, at their annual meeting, to fix such rates of insurance and incidental charges and fees as they may deem equitable and proper.

Managers authorized to make by-laws and fix rates of insurance.

SECTION 2. That all assessments shall be made by a committee of three members of the company; and all inquiries, as to losses by fire, shall be conducted by a committee of three members of the board of managers, to be appointed by the president.

Assessments and inquiries as to losses to be made by committees.

SECTION 3. That said company shall not insure any merchandise, or store stock, nor shall any insurance be effected in any village, nor upon any building, or its contents, within one hundred yards of any railroad, on which steam power is used.

Prohibition as to insurances.

SECTION 4. That the tenth section of the original act of incorporation be and the same is hereby repealed; and that the charter of said company be and is hereby extended, and continued, perpetually, from and after the expiration of the present charter; and all parts of the original act, inconsistent with this supplement, be and the same are hereby repealed.

Tenth section of act of incorporation repealed.

Charter made perpetual.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 584.

A Supplement

To an act to incorporate the Shawmut and Ridgway Railroad Company, approved May first, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That in case any unseated lands, through which said railroad passes, shall be owned by persons, not resident of the county, or who are *non compos mentis*, minors, or unknown, it shall be lawful for the said company to file a bond, with such security, and in such amount, as shall be approved by the court of common pleas, of the county of Elk, when said court is in session,

Proceedings relative to damages where road passes through unseated lands, owned by persons non-resident.

or by one of the judges thereof, in vacation, in the office of the prothonotary of said court; which said bond shall be drawn in the name of said prothonotary, for the use of the owner, or owners, whose land is taken, and used by said company, conditioned for the payment of all damages, which shall be assessed against said company, in the manner provided in the act to which this is a supplement, by reason of the use, or occupancy, of any land aforesaid; and from and after the filing of said bonds, it shall be lawful for said company to use and occupy said land, and use the materials thereon, in the same manner, as in case of persons with whom they can not agree, as to the amount of damages: *Provided*, That proceedings shall be commenced against said company, by said owner, or owners, within two years from the date of the filing of said bond, and damages shall only be received, by the person, or persons, owning said lands, at the time of filing the bond aforesaid: *Provided further*, That upon filing of any bonds, or bond, aforesaid, notice shall be given, by publication, for three successive weeks, in one newspaper, published in the said county, that said bond has been filed, and of the time when it will be presented to the court, or judge, as the case may be, for approval.

Proviso.

Proviso.

Number and election of directors.

SECTION 2. That the number of directors of said company shall, after the next annual election for directors, consist of seven, a majority of whom, together with the president of said company, shall be residents of Pennsylvania, who shall be chosen by the stockholders, in the manner provided by the act to which this is a supplement.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of June, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

RESOLUTIONS

PASSED SESSION OF EIGHTEEN HUNDRED AND SIXTY-THREE.

No. 1.

Joint Resolution

Relative to the purchase of Purdon's Digest and Ziegler's Manual.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerks of the two houses be and they are hereby authorized to purchase a copy of the last edition of Purdon's Digest and Ziegler's Manual, for each member of the Senate and House of Representatives; the accounts for which to be settled and paid in the usual manner, by the auditor general and state treasurer.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of January Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 2.

Resolution

To pay the Chief Clerk, Assistant Clerks, and other retiring officers.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer shall pay the chief clerk, assistant clerk, and the following named transcribing clerks, of the House of Representatives, to wit: C. W. Walker, J. B. Niles, Robert Brown and James L. Connelly; also, to E. D.

Pickett, sergeant-at-arms, each ten days pay and mileage; Jas. Subers and Richard Hutchins, assistant sergeants-at-arms, each ten days pay; Casper Gang, door-keeper, ten days pay and mileage; A. D. Foss, G. W. Gettys, Lewis Frederick, assistant door-keepers, ten days pay; S. G. Blanchard, messenger, ten days pay and mileage; Henry Menold, assistant messenger, ten days pay; James M'Kean, Bernard Gunn, James Freeborn, Charles C. Idell, Mahlon Wanner, Henry Slaymaker and R. H. Krebb, pasters and folders, each ten days pay; and to H. A. Woodhouse, postmaster, fifteen days pay and mileage; and to R. Estworth, Henry Boyer and Henry Geddes, pages, each ten days pay, all of whom are retiring officers of the House of Representatives; and to Frederick L. Hitchcock, transcribing clerk, who was prevented from returning, by a severe wound, in battle received, in the service of his country; to Thomas Dixon and Joseph Moore, assistant sergeants-at-arms; D. F. Johnson and J. M. Moorehead, assistant door-keepers; to M. G. Brower, assistant messenger, and to Jacob Radabaugh and Thomas Ginginker, door-keepers of the rotunda, and to George Swartz, page, all of whom were retiring officers of the Senate, each ten days pay and mileage; said officers being in attendance, and performing their duties, at the opening of the present session, except those detained by illness; and to John F. Cochran, sergeant-at-arms of the Senate, for serving writs, ordering an election to fill a vacancy in the Nineteenth senatorial district, sixty-nine dollars and seventy-five cents, the same being the per diem allowance and mileage, to which he is entitled; and that the state treasurer be authorized, and directed, to pay to each of the firemen having in charge the furnaces in the basement of the capitol, and to the door-keeper, and assistant door-keepers, of the rotunda, at the last session, the sum of one hundred dollars each, that being the amount appropriated to them at the last session: *Provided*, Said sum, or any part thereof, has not already been paid to said officers.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 3.

Joint Resolution

Relative to the establishment of a navy yard at League island.

WHEREAS, The secretary of the navy, having decided to accept, on behalf of the federal government, the donation, by the city of Philadelphia, of League island, for the establishment of a navy yard :

And whereas, Efforts are now being made by congress, to interfere with the action of the said secretary of the navy in the premises ; therefore, be it

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That a committee of three members of the Senate, and five members of the House of Representatives, be appointed, in connection with the governor of the commonwealth, to proceed to Washington, to take such action as will advance the acceptance, by the United States government, of the said League island, for a navy yard.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 4.

Joint Resolution

Instructing our Senators, and requesting our Representatives, in Congress, to vote for the repeal of the duty on paper.

WHEREAS, It is alleged, and believed to be true, that a large majority of the manufacturers of paper, have entered into a combination to raise, and demand an exorbitant price for paper, higher than a fair and legitimate profit on its manufacture will warrant ; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,

That our senators in congress are hereby instructed, and our representatives requested, to vote for the repeal of the law imposing a duty on paper.

Resolved, That the governor be requested to furnish a copy of this resolution, to each of our senators and representatives in congress.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 5.

Joint Resolution

Requesting the Governor to call on the General Government to return sick and wounded soldiers from this State, to Hospitals here.

WHEREAS, There are a great many sick and wounded soldiers in the army of the United States, from the state of Pennsylvania, whom the people of this state earnestly desire should be returned here, where they can be visited by their friends, and receive that care and attention which their situation demands; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the governor is requested, in the name of this commonwealth, to call immediately on the general government, to order that all the sick and wounded soldiers, from this state, in the army of the United States, be returned to the hospitals here, in order that they may receive that care and attention which their situation may demand.

Resolved, That our senators and representatives in congress be urged to press upon the officers of the general government a compliance with this request.

Resolved, That copies of these resolutions be forwarded to our senators and representatives in congress.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE.

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 6.

Joint Resolution

Relative to the purchasing of a flag, for the Fifty-fourth regiment of Pennsylvania volunteers.

WHEREAS, The flag presented by the state, to the Fifty-fourth regiment of Pennsylvania volunteers, was accidentally destroyed by fire, in the camp of said regiment, in the absence of Colonel Jacob M. Campbell, the commanding officer, who, at the time, with the greater part of his command, was in pursuit of the guerillas, under Colonel Imboden, of the rebel army; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the governor be, and he is hereby authorized, to procure, at the expense of the state, a flag, and present the same, on behalf of the state, to the said Fifty-fourth regiment.

WILLIAM HOPKINS,

Speaker of the House of Representatives pro tem.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 7.

Joint Resolution

Relative to compensating citizens of Pennsylvania for losses sustained by the Rebel raid into this State, on the tenth and eleventh days of October last.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the senators and representatives in congress, from the state of Pennsylvania, be and they are hereby requested, to secure the passage of such laws as will compensate citizens of this commonwealth, for losses sustained, by reason of the rebel

LAWS OF PENNSYLVANIA.

raid into this state, on the tenth and eleventh days of October last.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 8.

Resolution

To pay the expenses incurred in fitting up the folding room, for the House of Representatives, under the direction of a committee of the House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the state treasurer be directed to pay, out of any money not otherwise appropriated, the sum of two hundred and four dollars and fifty cents, for work done and materials furnished, in fitting up the room for the accommodation of the pastors and folders of the house, under the direction of the committee, appointed for that purpose, to be paid on the order of said committee.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 9.

Joint Resolution

Relative to the Dam of the Susquehanna Canal Company.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the dam of the Susquehanna Canal Company, over the river Susquehanna, at or near Columbia, as now constructed, having been licensed by the governor, and used for more than twenty years, is hereby accepted and recognized as a full compliance, by the said company, with the terms and conditions on which the said company was authorized to construct the same: *Provided*, That this act shall not be construed to interfere with any suits now pending, or which may hereafter be brought, for damages sustained, prior to the passage of this resolution.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 10.

Joint Resolution

Relative to the pay of the Board of Revenue Commissioners.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the members of the board of revenue commissioners shall receive as compensation, for their services, the sum of six dollars per day, in lieu of the compensation now allowed by law; the compensation for mileage, remaining as at present established; and the state treasurer is hereby authorized, and required, to pay the said board for services, and mileage, as afore-

LAWS OF PENNSYLVANIA.

said, and also the contingent expenses of the said board, out of any moneys in the treasury not otherwise appropriated.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 11.

Joint Resolution

Authorizing the Governor to present new Flags to the Eighty-third, One Hundred and Eleventh and Seventy-eighth regiments, Pennsylvania volunteers, and the Seventh Pennsylvania cavalry, in place of their former flags, destroyed in battle.

WHEREAS, The flags heretofore presented to the Eighty-third, One Hundred and Eleventh, and Seventy-eighth regiments, Pennsylvania volunteers, and the Seventh Pennsylvania cavalry, have been destroyed by the bullets of the enemy, in the various battles in which said regiments have been engaged; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor of this commonwealth be and he is hereby authorized to present to the Eighty-third, One Hundred and Eleventh, and Seventy-eighth regiments, Pennsylvania volunteers, and Seventh Pennsylvania cavalry, respectively, a new flag, and to inscribe thereon the names of the battles in which they have been severally engaged.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 12.

Joint Resolution

Authorizing the Governor to purchase grounds sufficient for the erection and construction of a new magazine, and also for the proper repair and security of the present magazine.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That in accordance with the recommendation of the special committee, appointed to consider the necessity of a further provision, for the security of the present magazine, attached to the arsenal, the governor is hereby fully authorized, and directed, to purchase five or more acres of ground, beyond the incorporated limits of the city of Harrisburg, and cause to be erected, without delay, a magazine, securely constructed, of the best material, and sufficiently large, for all the necessities of the state; and when completed, to cause to be removed, all the contents of the present magazine; and for the purpose of guarding said magazine, when erected, under the provisions of this act, he is authorized to employ four watchmen, two of whom shall always be on duty: *Provided*, That the title to the real estate purchased, under the provisions of this act, shall be first examined, and approved by the attorney general, before the deed is executed, and delivered to the commonwealth: *And provided further*, That said real estate shall not cost, to exceed one thousand dollars.

SECTION 2. *Resolved*, That the governor is further authorized, and directed, to take immediate measures to guard the ammunition, in the present magazine, against accident by fire or otherwise.

SECTION 3. That all expenses incurred, and payments made, under the provisions herein contained, shall be paid out of any moneys in the treasury, not otherwise appropriated, upon warrants of the auditor general, approved and countersigned by the state treasurer, after all the accounts and expenditures have been duly audited, and allowed by the auditor general and state treasurer: *Provided*, The cost of constructing said magazine shall not exceed the sum of ten thousand dollars.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 13.

Joint Resolution

Relative to the purchase of certain Maps.

WHEREAS, It is indicated by the heads of departments, and Senate and House of Representatives, that they labor under disadvantage, for the want of good and accurate maps of this continent, and other countries, of the latest date :

And whereas, Monk's Continental map, of North America, contains, on one large and well executed sheet, all that is truly desirable in a work of this kind; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerk of the Senate be authorized to purchase seven of these maps, for the uses above indicated, at a price not to exceed the sum of seven dollars and fifty cents each.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 14.

Joint Resolution

In relation to an act, entitled "An Act to incorporate the Shenango Valley Coal and Transportation Company," approved April eleventh, Anno Domini one thousand eight hundred and sixty-two.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That an act of assembly, approved April eleventh, one thousand eight hundred and sixty-two, entitled "An Act to incorporate the Shenango Valley Coal and Transportation Company," be, and the same is hereby amended, as follows: In the second line of the second section, strike out "nine," and insert "five;" in the eighth line, after the word "the," insert the words, "in pursuance of any law of this commonwealth;" and in the third

line, strike out the words, "annually, for the period of four years," and insert, "in four equal annual payments."

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 15.

Joint Resolution

To correct two errors in the act, entitled "An Act to provide for the ordinary expenses of the Government, and other general and specific appropriations," approved April fourteenth, one thousand eight hundred and sixty-three.

SECTION 1. *Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the words, "one thousand three hundred dollars," where they occur in the first clause of the fifth section of the act vested in the title to this joint resolution, be changed to "one thousand five hundred dollars," so that the salary of the chief clerk in the auditor general's office, from and after June first, one thousand eight hundred and sixty-three, shall be the sum of one thousand five hundred dollars, as heretofore; and that the forty-sixth section of said act be so amended as to make the word "six," read "seven."

JOHN CESSNA,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 16.

A Joint Resolution

Proposing certain amendments to the Constitution.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the following amendments be proposed to the constitution of the commonwealth, in accordance with the provisions of the tenth article thereof:

There shall be an additional section to the third article of the constitution, to be designated as section four, as follows:

SECTION 4. Whenever any of the qualified electors of this commonwealth shall be in any actual military service, under a requisition from the President of the United States, or by the authority of this commonwealth, such electors may exercise the right of suffrage in all elections by the citizens, under such regulations as are, or shall be, prescribed by law, as fully as if they were present at their usual place of election.

There shall be two additional sections to the eleventh article of the constitution, to be designated as sections eight, and nine, as follows:

SECTION 8. No bill shall be passed by the legislature, containing more than one subject, which shall be clearly expressed in the title, except appropriation bills.

SECTION 9. No bill shall be passed by the legislature granting any powers, or privileges, in any case, where the authority to grant such powers, or privileges, has been, or may hereafter be, conferred upon the courts of this commonwealth.

JOHN CESSNA,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPENDIX—1857.

No. 585.

An Act

To incorporate the Daguschonda Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alonzo J. Wilcox, Albert Willis, William P. Wilcox, Robert Rothrock, A. H. Head, their associates and assigns, be, and they are hereby, constituted a body politic and corporate, by the name, style and title of the Daguschonda Improvement Company, and, as such, shall have power to take and hold, land and real estate, not exceeding two thousand acres, in fee simple, in the counties of Elk and M'Kean, and to construct railroads, plank roads and timber schutes, prove and open the veins of coal, and other minerals, on, or in, their lands, and to prepare the same for being worked and leased, with power to work and lease the said lands, or any portion thereof.

SECTION 2. That the said corporation shall, also, have power to manufacture iron and coke, lubricating and other oils, from coal; and to manufacture, from minerals, any products that can be manufactured from the same, and vend and sell the same.

SECTION 3. That the capital stock of the said company shall consist of ten thousand shares, of twenty dollars each, with the privilege of increasing the same to thirty thousand shares; the said company is hereby declared and made capable, in law, to sue and be sued, implead and be impleaded, to have a common seal, to hold and convey such real and personal property, as may be necessary to promote the objects of their incorporation, and to sell, and dispose of, the products of their lands.

SECTION 4. That the affairs of said company shall be managed and conducted by a board of directors, to consist of not less than seven, nor more than nine, who shall be elected by the stockholders, and who shall elect one of their number as president; but if, for any cause, the election of directors, as aforesaid, does not take place, it shall be competent to elect the same, at any other time, after two weeks' public notice shall have been given, without injury to this act of incorporation; and, in all elections of stockholders, each share of stock shall entitle the holder to one vote.

This act to continue in force for twenty years.

Authorized to sell or lease their real estate.

May borrow money.

Mortgage.

Bonus and tax upon dividends.

Individual liability.

SECTION 5. That this act shall continue in force for the period of twenty years, from the time of its passage; that the said company shall have full power to sell and convey, in their corporate capacity, or by trustee, in fee simple, or otherwise, the whole, or any part of, their real estate; or, it shall be lawful for them to lease, to any person or persons, for one or more years, any real estate which they may hold, on such terms as may be agreed upon: *Provided*, That the said company, with the consent of a majority of the stockholders, may borrow, on bonds, any amount, not exceeding two hundred thousand dollars, secured by mortgage of the whole, or any part, of the lands, mills, or other property, belonging to the company, and the corporate privileges thereto belonging, upon such interest as shall be agreed upon.

SECTION 6. That the said corporation shall pay a bonus, of one half of one per centum, on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof; and shall pay such tax upon dividends as is, or may be, provided by law.

SECTION 7. That the stockholders of the said company shall be jointly and severally liable, in their individual capacities, for all debts and contracts, made by said company, to the amount remaining unpaid on each share of stock held by them, respectively; and, also, for all debts due mechanics, workmen and laborers employed by, and for materials furnished to, said company; to be sued for, and collected, as provided by the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna Iron and Coal Company, approved April fifth, one thousand eight hundred and fifty-three.

J. LAWRENCE GETZ,

Speaker of the House of Representatives.

DAVID TAGGART,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAMES POLLOCK.

No. 586.

An Act

To incorporate the Pioneer Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That George W. Snyder, Benjamin W. Cumming, John H. Adam, Charles M. Atkins, Charles W. Pitman, J. Macomb Wetherill, William Way Atkins, Samuel Shannon, Henry John, and Cornelius H. Tyson, their associates and successors, be and the same are hereby erected into a body corporate and politic, in law, and in fact, by the name and style of the Pioneer Iron Company, of Pottsville, and shall have all the powers, and privileges, and immunities, and be subject to all the restrictions, contained in the act of assembly, approved the seventh day of May, one thousand eight hundred and fifty-five, entitled "An Act to incorporate the Johnstown Iron Company," with this difference: in section fourth of said act of incorporation, that said Pioneer Iron Company shall not hold more than one thousand acres of land at any one time, and said land shall be in Schuylkill county: *Provided*, That this act shall continue in force for a period of twenty years.

Corporators.

Style.

Powers and privileges.

May hold land.

Limitation.

SECTION 2. That the stockholders of the said company shall be jointly, and severally, liable, in their individual capacities, for all debts and contracts made by said company, to the amount of stock remaining unpaid on each share of stock held by them, respectively; and shall, also, be liable for all debts due mechanics, workmen, and laborers, employed by said company, to be sued for, and collected, as provided for by the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Individual liability.

SECTION 3. That the said corporation shall pay a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof, and shall pay such tax upon dividends as is, or may be, provided by law.

Bonus and tax upon dividends.

J. LAWRENCE GETZ,

Speaker of the House of Representatives.

DAVID TAGGART,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAMES POLLOCK.

APPENDIX—1858.

No. 587.

An Act

To extend the charter of the Cumberland Valley Mutual Protection Company of Dickinson township, Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to incorporate the Cumberland Valley Mutual Protection Company, of Dickinson township, Cumberland county," approved the ninth day of March, one thousand eight hundred and forty-three, with a supplement, passed the eleventh day of April, one thousand eight hundred and forty-four, and the same is hereby extended for the period of twenty years, from the ninth day of March, one thousand eight hundred and sixty-three; the legislature reserving the power to alter, revoke or annul the same, when, in their opinion, it may be necessary for the public welfare, in such manner, that no injustice be done to the corporation.

A. BROWER LONGAKER,

Speaker of the House of Representatives.

WM. H. WELSH,

Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

APPENDIX—1859.

No. 588.

An Act

To incorporate the Clearfield Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jonathan Boynton, G. R. Barrett, William L. Moore, W. A. Wallace, J. B. M'Enally, G. L. Reed, John L. Weaver, R. V. Wilson, Richard Mossop, A. K. Wright, James S. Leonard, W. L. Irwin, O. Kratzer, Isaac Johnston, James Wrigley, Wm. Radabaugh, Lewis R. Carter, Richard Shaw, John L. Cuttall, L. J. Crans, M. A. Frank, William Porter, M. A. Woods, William Powell, Robert Mitchel, Samuel Mitchel, John M'Pherson, and their successors, and associates, be and the same are hereby made, and constituted, a body politic, and corporate, by the name, and style, of the Clearfield Gas Company; and, by the said name, they, and their successors, shall, and may, have perpetual succession, and shall be, in law, capable of suing and being sued, pleading and being impleaded, in all courts, and judicatories, whatever; and also, of contracting, and being contracted with, relative to the business, and objects, of said corporation, as hereinafter declared; and they, and their successors, may have a common seal, and may change, and alter, the same at pleasure; and shall have power to lease, and purchase, in fee simple, or otherwise, such real estate as may be necessary for carrying on the business of said corporation; and, in their corporate name, to borrow money, and to make, and execute, obligations, for the liabilities created in the transaction of said business of the corporation.

Corporators.

Name.

Privileges.

Seal.

SECTION 2. That the said corporation shall have exclusive authority to supply, with gas light, the borough of Clearfield, and its vicinity, in the county of Clearfield; and such persons, partnerships, and corporations, residing therein, as may desire the same, at such price as may be agreed on; and also, to make, and erect, within said borough, the necessary buildings, machinery, and apparatus, for manufacturing, and distributing, the same, with the right to enter upon any public street, lane, alley, or highway, for the purpose of laying down pipes, altering, inspecting, and repairing, the same, doing as little

To have exclusive authority to supply gas.

Erection of buildings, laying pipes, &c., relative to.

damage to said streets, lanes, alleys, or highways, and impairing the free use thereof, as little as possible.

Capital stock. SECTION 3. That the capital stock of said corporation shall be fifteen thousand dollars, to be divided into shares of twenty-five dollars each; and may be increased, from time to time, not to exceed thirty thousand dollars, as the managers thereof shall deem necessary; for all of which stock, certificates shall be issued, signed by the president, and countersigned by the secretary, and sealed with the common seal of said corporation; which certificates shall be transferable, only, by the owner thereof, or by attorney, duly authorized for that purpose, in the presence of the president, or secretary, in a book kept for that purpose, by said corporation: *Provided*, That a majority of the managers are satisfied said transfer shall be made.

Stock certificates to be issued.

Transfers of, how made.

Organisation. SECTION 4. That the said named persons, or a majority of them, shall, as soon as one hundred shares of stock are subscribed, give at least two weeks' previous notice, in two newspapers, published in said borough, of the time, and place, by them appointed, for the subscribers to meet, in order to organize the said company, and to choose, by a majority of votes, of the said subscribers, by ballot, to be given in person, or by proxy, duly authorized, five managers, to serve until their successors shall be duly elected, which shall be annually, on the first Monday in January, thereafter; and said managers shall have power to select one of their number as president, and also, a secretary, and treasurer, to serve for the same term; and the manner of conducting said election shall be prescribed in the by-laws of said corporation; and at all elections, the stockholder, shall be entitled to one vote, for each share of stock *bona fide* held by him, her, or them, either as trustees, executors, or administrators, at the time of holding said election.

Election of managers.

Votes. SECTION 5. That the board of managers, of this corporation, shall have power to make by-laws, for their own regulation, not inconsistent with the laws of this commonwealth; and shall keep minutes of their proceedings, which shall, at all proper times, be open to the inspection of the stockholders, and all such acts, and things, for the proper regulation, and government, of the corporation, as they may deem necessary; they shall have power to declare dividends, of so much of the net profits of the corporation, as shall appear, to them, to be advisable, and at such times, as the by-laws may fix; which shall be paid to the stockholders, on demand, ten days after the same shall have been declared.

Powers and duties of managers.

Dividends. SECTION 6. That if any person, or persons, shall open a communication into the gas main, or other gas pipes, of the said company, without authority from the proper officer thereof, or shall let on the gas, after it has been stopped, by order of the company, or its authorized agent, or use any gas, without drawing it through the meters, put up for the purpose of measuring the same, or shall put up any pipes, or burners, without having the same inspected, and approved, by the proper officer, appointed by the corporation, to inspect, at proper times, and under proper circumstances, the pipes, meters, and burners, et cetera, put up, in any building, he, she, or they, so offending, shall be subject to a penalty of not less than twenty,

Penalty for any violation of regulations, as to the use of gas.

nor more than eighty, dollars, to be recovered, before any justice of the peace, as debts, under one hundred dollars, are recovered; one-half to go to the informer, who shall be a competent witness, the other half, to the company.

SECTION 7. That if any person shall wilfully, maliciously, do, Penalty for in- or cause to be done, any act, or acts, whatever, whereby any juries to works, building, construction, or works, of said company, or any gas &c. pipe, gas post, burner, or reflector, or any matter, or thing, appertaining to the same, shall be stopped, obstructed, injured, or destroyed, the person, or persons, so offending, shall be considered guilty of a misdemeanor, and may be, therefor, indicted, in the court of quarter sessions, and on conviction thereof, shall be punished, by a fine of not less than one hundred, nor more than five hundred, dollars, or be imprisoned, for a period of time, not less than ten days, nor more than one year, or both, at the discretion of the court: *Provided*, That such criminal Proviso. prosecution shall, in no way, impair the right of said company to a full compensation, in damages, by a civil suit.

SECTION 8. That if any subscriber, for stock, to said com- Refusal of sub- pany, or his, her, or their assigns, shall refuse, or neglect, to scribers to pay pay any instalment, called for by the said company, at the instalments, place appointed, and the same shall remain unpaid, for thirty relative to. days after the time appointed, he, she, or they, shall, in addition to the instalment called in, pay at the rate of five per centum, per month, for delay; and if the same shall remain so long that the penalty shall amount to the sum actually paid in by the said stockholders, it shall be in the power of the said company to forbid said stock, and the amount paid thereon may be disposed of by the said company, as will best promote their objects.

SECTION 9. That the stockholders of said company shall be Individual li- jointly, and severally, liable, in their individual capacities, for ability. all debts due mechanics, workmen, and laborers, employed by, and for material furnished to, said company, to the amount remaining unpaid on each share of stock, held by them, respectively; to be sued for, and collected, as provided in the twelfth, thirteenth, and fourteenth sections of an act incorporating the Lackawanna Iron and Coal Company, approved April fifth, one thousand eight hundred and fifty-three.

SECTION 10. That it shall be lawful for said company, and Authorized to they are hereby authorized, to borrow money, from time to borrow money. time, not exceeding ten thousand dollars, in the aggregate, and to pledge their property, and franchises, by mortgage, or otherwise, for the re-payment of the same; or to issue bonds Bonds. of the company, bearing six per cent. interest therefor: Proviso. *Provided*, That no such bond shall be of a less denomination than one hundred dollars.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JOHN CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

APPENDIX—1860.

No. 589.

An Act

To incorporate the New Hope Cemetery Company.

Corporators.

Title.

Corporators to
act as trustees
until election.
Powers and
privileges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Lewis S. Coryell, Martin Coryell, Doctor Charles Hufnagle, Samuel Lilly, James P. Smith, Miers Coryell and Ingham Coryell, and any persons who may become their associates, and their successors, be and they are hereby incorporated, under the name, style and title of the New Hope Cemetery Company.

SECTION 2. That the persons named, in the first section, shall act as trustees, and until others are elected, under their by-laws; they shall be entitled to all the powers, rights and privileges, and subject to the same conditions, and restrictions, as are granted and imposed in the act incorporating the Hilldale Cemetery Company, approved the twenty-second April, one thousand eight hundred and fifty-seven.

JOHN M. THOMPSON,

Speaker of the House of Representatives pro tem.

WM. M. FRANCIS,

Speaker of the Senate.

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

APPENDIX—1861.

No. 590.

An Act

To extend and continue in force an act to incorporate the Mutual Fire Insurance Company of Pottstown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to incorporate the Mutual Fire Insurance Company of Pottstown," approved the seventeenth day of March, Anno Domini one thousand eight hundred and forty-three, be extended, and continued, for the period of twenty years, from and after the seventeenth day of March, Anno Domini one thousand eight hundred and sixty-three, and that the said company continue to have and enjoy all the rights and privileges, and be subject to all the conditions, contained in said act.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

ROBT. M. PALMER,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 591.

An Act

To incorporate the Girard Cemetery, in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.	That Leffert Hart, George H. Cutler, H. M'Connell, J. Webster, Philip Osborn, George Gallowhur, Henry Ball, George Porter, L. S. Jones, Asa Battles, A. G. Ely, Titus Pettibone, J. A. White, James Miles, Ethan Loveridge, James M'Leland, David Olin, Monroe Hutchinson, L. S. Wright, Perley Hinds, A. H. Seeley, G. H. M'Intire and Johnston Rea, with such other persons as they may associate with them, and their successors, be and they are hereby created a body politic and corporate in law, by the name, style, and title of the Girard cemetery, and by that name, shall have perpetual succession, and be able to sue and be sued, in any court of law or equity, and may have, and use, a common seal, and the same at their pleasure, alter and renew, and shall have power to own, hold, and enjoy, to them, and their successors, any real or personal estate, which they may purchase or obtain, by devise, gift, grant, or bequest, for such cemetery : <i>Provided</i> , That the whole quantity of real estate, to be held by them, as a corporation, shall not exceed fifty acres.
Title.	
Privileges.	
Proviso.	
Election of president and managers.	SECTION 2. That the affairs of said corporation shall be conducted by a president, and four managers, who shall be elected, by a majority of the votes, as hereinafter specified, of the members of the corporation present, on the first Monday of April, every year, and in case no election shall be held, at the time aforesaid, the officers of the preceding year shall continue in office, until an election shall be held; the said president and managers shall fill all vacancies, that may occur, in their own body, by selecting a shareholder, to supply any such vacancy, occurring by resignation, removal, death, or otherwise; and shall have power to lay out, and ornament, the ground purchased for the said cemetery, to erect such buildings thereon, as may be necessary for the enjoyment of the same, to lay out, sell, and dispose of burial lots, to appoint all necessary officers, and fix their several duties and compensation, and to make such by-laws, rules, and regulations, as they may deem proper, for conducting the affairs of the corporation, for the government of lot-holders, and visitors to the cemetery, and for the transfer of lots, and the evidence thereof.
Vacancies.	
Powers and duties of managers.	
Lots, relative to.	SECTION 3. That every lot, conveyed in said cemetery, shall be held by the proprietor, for the purpose of sepulture alone, transferable with the consent of the board of managers, and shall not be subject to attachment or execution.
Certificates of ownership to have the same effect as conveyances.	SECTION 4. That a certificate, under seal of the corporation, of the ownership of any lot, shall, in all respects, have the same effect, as any conveyance from the said corporation, of such lots, would have, if executed, acknowledged, and recorded, as conveyances of real estate are required to be by law.
Votes.	SECTION 5. That at all elections, held under this act, each member of the corporation, shall be entitled to one vote, for every share of twelve dollars and fifty cents, which he, she or they may own : <i>Provided</i> , That until an election shall be held, under the provisions of this act, the persons hereby incorporated, shall be managers of the corporation, capable of transacting business.
Corporators to act as managers until election.	SECTION 6. That no street, lane or alley, road or canal, of any sort, shall ever be opened through that part of the pro-
Opening of streets, &c., prohibited.	

perty of said corporation, so to be exclusively appropriated to the purposes of a cemetery: *Provided*, Nothing herein contained shall authorize said corporation to obstruct any public road or street, lane, or alley, now actually opened and used as such.

SECTION 7. That the managers be and are hereby authorized to sell, and dispose of, all, or any part, of the real estate of the said cemetery, not included in the area devoted to burial purposes, and to sign, seal, and deliver, to the purchaser or purchasers thereof, a good and sufficient deed, or deeds of conveyance, of the same, in fee simple. Managers authorized to sell all or part of real estate.

SECTION 8. That any person, who shall wilfully destroy, mutilate, deface, injure, or remove any tomb, monument, or gravestone, or other structure, placed in the cemetery aforesaid, or any fence, railing, or other work, for the protection or ornament of the said cemetery, or shall wilfully destroy, cut, break, or injure, any tree, shrub, or plant, within the limits of said cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before any court of competent jurisdiction, be punished by a fine, of not less than five dollars, or more than one hundred dollars, and by imprisonment, in the county jail, for a term of not less than one, or more than thirty days, according to the nature, and aggravation, of the offence; and such offender shall also be liable, in an action of trespass, in the name of the said corporation, to pay all such damages as have been occasioned by his unlawful act or acts; which money, when recovered, shall be applied, by the said corporation, under the direction of the managers, to the reparation and restoration of the property destroyed, or injured, as above, and members of said corporation, or the lot owners, shall not thereby be prevented from testifying, in any case, at law, to which said corporation shall be a party. Penalty for injuries to grounds, &c.

ISAAC A. SHEPPARD,

Speaker of the House of Representatives pro tem.

JOHN P. PENNEY,

Speaker of the Senate pro tem.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

An Act

To incorporate the Loan Association of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.	That R. Rundle Smith, Thomas Hawksworth, Charles W. Carigan, Oscar Thompson, Franklin B. Wallis, Frank M'Laughlin, and William C. M'Kibben, their associates and successors,
Name.	be and hereby are incorporated, under the name of the Loan Association of the city of Philadelphia, to be located in the said city; the object of the association shall be, to loan, on pledge of goods and chattels only; the capital stock of said association shall be raised, by subscription, and shall not exceed five thousand shares, of one hundred dollars each; the said association shall have the power of borrowing, on its own notes, not exceeding the amount of its capital stock paid in, and shall not exceed the period of one year.
Object.	<p>SECTION 2. When fifty thousand dollars has been duly subscribed, and twenty-five thousand dollars paid in, the stockholders may organize, as hereinafter provided for, and proceed to business, under this charter; the charge, on all loans, to cover expenses of every kind, including interest, shall be uniform, and not exceed one and a half per centum a month; when the association has disposable funds, it shall loan, on all goods and chattels offered, embraced within its rules and regulations, in the order in which they are offered, with this exception, that the association may always discriminate in favor of small loans to the indigent; it shall loan, to three-quarters of the estimated value, on gold and silver plate and ware, and to two-thirds of such value, on all other goods and chattels. as aforesaid.</p> <p>SECTION 3. The government of the association shall be in seven directors, five of whom shall be chosen annually, in January, by the stockholders, together with one to be appointed by the governor of this commonwealth, and one to be appointed by the mayor of the city of Philadelphia; and the board, thus created, shall elect one of their number president, and such other officers as may be deemed necessary.</p> <p>SECTION 4. All loans shall be on a time fixed, and not over one year; and the borrower shall have a right to redeem his property pledged, at any time within the specified period, on payment of the loan, and rate of compensation, to the time of the offer to redeem; if the property pledged is not redeemed within the time limited, the same shall be sold at public auction. and the net surplus, after paying loan charges, and expenses of all kinds, shall be held one year for the owner; if not called for within the year, the same shall go into a fund, called "the profit and loss fund;" and all losses from loans, from failure of title, or other cause, shall be satisfied from said profit and loss fund; the net balance of said fund, at the end of each year, shall be made up to the first of January, of each succeeding year, and be given, in fuel, to the needy, under direction of the board, during the months of January, February, and March.</p> <p>SECTION 5. The association shall give, to each person, borrowing, a card, inscribed with the name of the association, the article, or articles, on which the loan is made, the name of the borrower, the amount of the loan, the rate of compensation, the date when made, the date when payable, and the page of the book where recorded; the whole sum annually earned shall be disposed of at the end of each year, and the earnings, to be</p>
Capital stock.	
Authorized to borrow money.	
When stockholders may organize.	
Charge on loans.	
How and to what amount loans may be made.	
Directors, how to be chosen.	
Officers.	
Terms on which loans to be made.	
Borrowers to receive cards containing certain entries.	
Earnings, how divided, &c.	

divided among the stockholders, shall not exceed eight per centum per annum, and the balance shall go into said profit and loss fund, to be distributed in charity, as hereinbefore provided for.

SECTION 6. The president, and directors, shall report, annually, to the legislature, full and accurate statistics of the operations, and conditions, of said association; the stockholders of said association may establish such by-laws, rules, and regulations, as are necessary for conducting the business of said association, not inconsistent with the laws of this commonwealth; the stock of said association shall be transferable on its books only, at the offices of said association.

To make annual report to legislature.
By-laws.
Transfers.

SECTION 7. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such other tax as is now, or may, hereafter, be imposed, by law, on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen, and laborers, employed by said company, and for all materials, and provisions, furnished to said company, to be sued for, and collected, as is provided in the twelfth, thirteenth, and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the privileges hereby granted shall not extend for a period longer than twenty years.

Bonus to state.
Individual liability.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

ROBERT M. PALMER,

Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

[Re-published as directed by "An Act to correct the act, entitled 'An Act to incorporate the Loan Association of the city of Philadelphia,'" approved the second day of March, Anno Domini one thousand eight hundred and sixty-three. See laws of 1863, page 91.]

APPENDIX—1862.

No. 592.

A Further Supplement

To an act to incorporate the M'Kean County Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time specified in the third section, of the act to which this is a further supplement, within which the works of the M'Kean Railroad and Navigation Company are required to be commenced and completed, is hereby extended for the further term of five years.

Time for commencement and completion of road extended.

Board of managers.

SECTION 2 That the board of managers of said company shall hereafter consist of a president and six directors.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 593.

A Further Supplement

To the act incorporating the East Brandywine and Waynesburg Railroad Company.

Preamble.

WHEREAS, The directors of the East Brandywine and Waynesburg Railroad Company, under the authority conferred upon them, by their charter, to borrow one hundred and seventy-five thousand dollars, have borrowed only one hundred and forty thousand dollars, upon mortgage of their corporate estate, power and franchises, and the further sum of twenty-five or

thirty thousand dollars is required to complete the road, pay land damages, and debts contracted in its construction; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the directors of said company are authorized to borrow any further amount of money, not exceeding thirty-five thousand dollars, and issue certificates of preferred stock therefor, bearing any rate of interest, not exceeding eight per cent. per annum; and should any of the common stockholders subscribe for such preferred stock, they shall be entitled to receive certificates for two shares for every share of such preferred stock, so subscribed by them, upon surrendering their certificates, and cancelling the common stock, in lieu of which such preferred stock shall be issued; and said preferred stock may be secured, by mortgage, as provided in a former supplement; the holders of such preferred stock shall have the same right to vote, at all meetings, and elections, of the company, and be eligible to office as the common stockholders.

Directors authorized to borrow money and issue certificates of preferred stock therefor.

Cancellation of common stock.

Preferred stock to be secured by mortgage.

SECTION 2. That this supplement shall be submitted to the stockholders, at a general meeting, to be called for the purpose, and, if accepted by a majority of votes, shall be deemed part of their charter.

Stockholders to vote upon the acceptance of supplement.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 594.

An Act

To incorporate the Hyde Park Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Thomas Eynon, Thomas Phillips, Matthew L. Blair, Edmund Heermans, Evan B. Evans, and their successors, be and they hereby are made a body politic and corporate, in law, by the name, style and title of the Hyde Park Cemetery Company, and by that name, shall have perpetual succession, and be able and capable, in law, to have and use a common seal, to sue and

Corporators.

Name.

Privileges.

Corporators to act as managers until election.	be sued, in all courts of law and equity, and by that name, to have perpetual succession, be capable, in law, to purchase, hold, possess, use, enjoy, sell, and dispose of estate and property, real and personal, and to do all things incident to a corporation, within the intent and meaning of these articles, and the acts in such case made and provided; and until the election of managers, the corporators, above named, shall exercise all the powers thereof.
Capital stock.	SECTION 2. That the capital stock of the said, the Hyde Park Cemetery Company, shall be ten thousand dollars, to be divided into one hundred shares, of the par value of one hundred dollars each.
Amount of real estate to be held.	SECTION 3. That the real estate, held by said corporation, shall at no time exceed, in quantity, twenty-five acres, and shall be located in the county of Luzerne.
Election of managers.	SECTION 4. That the affairs of said corporation shall be conducted by five managers, who shall be elected annually, on the first Monday of January, in each and every year, notice of such election, being given by handbill, posted on the gate of the cemetery; said managers to be elected by a majority of the votes of the members present, at the time, and place, designated in said notice; each member of said corporation, having one vote for each share of stock he shall hold; and the managers, thus elected, shall retain their offices for one year, and until their successors shall be duly elected.
Votes.	SECTION 5. That the managers shall elect, from among their number, a president, to serve for one year, and until his successor shall be appointed, and shall have power to appoint all necessary officers, and fix their several duties and compensation; the first election, of managers, to be held at such time, and place, as the corporators, above named, shall designate.
President and other officers.	SECTION 6. That the said corporators, or managers, shall have power to lay out, ornament, divide, and arrange, the ground of said corporation, into suitable plots and burial lots, to erect suitable buildings, and do all other things, necessary or proper to be done, to make the lands, they may procure, suitable for a cemetery, and to sell, and dispose of, such plots and burial lots, for the purpose of sepulture, to individuals, societies, or congregations, under such conditions, rules and regulations, as the said corporators or managers may establish.
Time of holding first election.	SECTION 7. That none of the said lots shall be used for any other purpose, than that of sepulture, and they shall be free from levy or sale, by virtue of any execution, or other process, against the grantee or grantees of such lots; no grantee shall be at liberty to transfer his or her lot, to any person whomsoever, without the consent of the managers, first had in writing; a certificate, under the seal of the corporation, of the ownership of any lot, shall, in all respects, have the same effect, as any conveyance, from the corporation of such lots, would have, if executed, acknowledged, and recorded, as conveyances of real estate are required to be; and said certificate may be duly recorded, in the office for recording of deeds, et cetera, in and for the said county of Luzerne, in the same manner, and to have the same effect, as if the same had been duly acknowledged or proved; and the said cemetery, and the lots therein,
Powers and duties of managers.	
Lots, use and transfers of.	
Certificates of ownership.	
Exempt from taxation.	

shall be forever exempt from taxation, except for state purposes.

SECTION 8. That in the burial of the dead, the religious ceremonies, and the choice of the minister, shall be controlled by the persons having charge of said burial; and their free action, in the matter, shall never be interfered with, by any rules or regulations of said corporation. Religious ceremonies at funerals.

SECTION 9. That the managers, or corporators, shall appropriate, and set apart, fifty per cent. of all moneys, accruing to the said corporation, from the sale of lots; and after payment of the purchase money, of the real estate purchased by them, for the purpose of a cemetery, they shall invest the same, in good and safe security, as a permanent fund, for the support of said cemetery, until the principal and interest, thereof, shall amount to the sum of ten thousand dollars. Certain proportion of income to be appropriated to a permanent fund.

SECTION 10. That no street, road, lane, or alley, of any sort, shall ever be opened through that part of the property of said corporation, appropriated to the purposes of a cemetery: *Provided*, Nothing, herein contained, shall authorize said corporation to obstruct any public road or street, lane or alley, now actually opened and used, as such. Streets, roads, &c., relative to. Proviso.

SECTION 11. That any person, or persons, who shall carry, shoot off, or discharge, any gun or fire-arms, or any fire-works, within the limits of said cemetery grounds, shall be subject to the same pains and penalties, as are incurred by those who hunt game in cemeteries or burial grounds, under the provisions of an act, entitled "An Act to protect burial grounds," approved May seventh, one thousand eight hundred and fifty-five. Shooting upon grounds, penalty for.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

sand eight hundred and eighty-five, or until the expiration of the charter, as extended by this act.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 597.

An Act

To extend the charter of the Mechanics' Savings, Loan and Building Association, located at Norristown, in the county of Montgomery.

WHEREAS, The Mechanics' Savings, Loan and Building Association, located at Norristown, in the county of Montgomery, was incorporated on the eighth day of November, one thousand eight hundred and fifty-two, for the period of ten years, from the said eighth day of November:

And whereas, It is ascertained that the said corporation can not wind up, and carry out the objects, and purposes, of the charter, within the time therein limited, and the court of common pleas, by which it was incorporated, has no power to extend the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Mechanics' Savings, Loan and Building Association, located at Norristown, in the county of Montgomery, be and the same is hereby extended for the further period of two years, to be computed from the time of the expiration of the ten years, for which the said charter has been granted: *Provided however,* That nothing herein contained, shall prevent the winding up of the affairs, and business, of said corporation, at any time hereafter, as soon as the objects, and purposes, for which it was incorporated, have transpired.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 598.

An Act

To extend the charter of the Norristown Savings, Loan and Building Association, in Montgomery county.

WHEREAS, The Norristown Savings, Loan and Building Association, located at Norristown, Montgomery county, was incorporated on the twentieth day of May, one thousand eight hundred and fifty-two, by the court of common pleas of Montgomery county, for the period of ten years, from the said twentieth day of May, Anno Domini one thousand eight hundred and fifty-two:

And whereas, It is ascertained that the said corporation can not wind up, and carry out the objects, and purposes, of its charter, within the time limited, and that the said court has no power to extend the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the charter, and corporate privileges, of the Norristown Savings, Loan and Building Association, located at Norristown, in the county of Montgomery, be and the same is hereby extended, for the further period of two years, to be computed from the time of the expiration of the ten years, for which the said charter has been granted: *Provided however*, That nothing, herein contained, shall prevent the winding up of the affairs, and business, of said corporation, at any time hereafter, as soon as the objects, and purposes, for which it was incorporated, have transpired.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 599.

A Further Supplement

To the act incorporating the Newry Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the time for commencing and completing, the Newry railroad, as provided in the act incorporating said company, approved the fifteenth day of March, one thousand eight hundred and fifty-nine, be and the same is hereby extended three years, from the expiration of the time designated in said act.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 600.

An Act

To extend the charter of the Montgomery Savings, Loan and Building Association, located at Norristown, in Montgomery county.

WHEREAS, The Montgomery Savings, Loan and Building Association, located at Norristown, in Montgomery county, was incorporated on the seventeenth day of May, one thousand eight hundred and fifty-two, for the period of ten years, from the said seventeenth day of May:

And whereas, It is ascertained that the said corporation can not wind up, and carry out the purposes of the charter, within the ten years; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Montgomery Savings, Loan and Building Association, located at Norristown, in the county of Montgomery, be and the same is hereby extended for the further

period of two years, to be computed from the time of the expiration of the ten years, for which the said charter has been granted: *Provided however*, That nothing, herein contained, shall prevent the winding up of the affairs of said corporation, at any time hereafter, as soon as the objects, and purposes, for which it was incorporated, have transpired.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 601.

An Act

To incorporate the Pittsburg and Minersville Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That E. P. Jones, James Johnston, junior, Abraham Ackright, James M. Sinclair, and their associates and assigns, be and are hereby created a body politic, in law, by the name, style, and title, of the Pittsburg and Minersville Passenger Railway Company, and, by that name, shall have perpetual succession, and shall be able and capable, in law, of suing, and being sued, pleading, and being impleaded, in all courts of law and equity, and shall have all the powers, and privileges, incident to a corporation; to have, and use, a common seal, and the same to alter, at pleasure. Corporators.
Title.
Privileges.
Seal.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, of fifty dollars each. Capital stock.

SECTION 3. That the business affairs, of said company, shall be conducted by a board of three managers, to be elected by the stockholders, annually, on the third Monday of January, every year, at such place, in the city of Pittsburg, as the board of managers may direct: *Provided however*, That the three persons, first named in this charter, shall act as managers, until the third Monday of January, one thousand eight hundred and sixty-three; and in case of death, resignation, or inability to serve, the stockholders may elect others in their stead, at any time, after ten days' public notice shall have been given, of said election, by publication, in one, or more, newspapers, published in the city of Pittsburg: *And provided further*, That every Election of managers.
Managers to act until election.

Votes.	stockholder shall be entitled to one vote, for each share of stock held by him, her, or them.
Officers.	SECTION 4. That, at the first meeting of the board of managers, after each election, they shall elect, from among their number, a president, treasurer, and secretary, and such other officers as they may deem necessary, for the proper management of said corporation.
Authorized to purchase portion of the Pittsburg and East Liberty railway.	SECTION 5. That the said Pittsburg and Minersville Passenger Railway Company shall have power, and authority, to purchase, from the Pittsburg and East Liberty Passenger Railway Company, that portion of their road, now constructed, lying on Fifth street, Wylie street, Fulton street, and Centre avenue, in the city of Pittsburg; and also, that portion, lying from the eastern line of the city of Pittsburg, to the village of Minersville, upon such terms as the board of managers, of the said companies, may agree.
Deed to be executed, terms and effect of.	SECTION 6. That the said Pittsburg and East Liberty Passenger Railway Company are hereby authorized, and empowered, to sell, to said Pittsburg and Minersville Passenger Railway Company, the track above mentioned, and by deed, to be duly executed by the president of said Pittsburg and East Liberty Railway Company, to transfer all their rights, and privileges, to, and in, the same; the said deed, when executed, as aforesaid, to be entered on record, in the office for recording deeds, in, and for, the county of Allegheny; and from, and after, the execution, and delivery, of said deed of conveyance, all the rights, and privileges, of the Pittsburg and East Liberty Passenger Railway Company, to occupy the streets above mentioned, shall cease and terminate, except to use, with a single track, that portion of Fifth street, lying between Grant street and the intersection of Wylie and Fifth streets.
Bonds secured by mortgage may be issued.	SECTION 7. That the said Pittsburg and Minersville Passenger Railway Company shall have power to raise, on bonds, to be secured by a mortgage of their road, including all its stock, and franchises, any sum of money, not exceeding forty thousand dollars, for the purpose of carrying out the true intent of this act: <i>Provided</i> , That no bond shall be issued for a less sum than one hundred dollars, with interest, at a rate, not exceeding seven per cent. per annum.
Proviso.	SECTION 8. That, in all matters, not provided for in this act, the said railway company shall be subject to the powers, and privileges, mentioned in the act of assembly, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railway companies," and the several supplements thereto.
Subject to.	

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 602.

An Act

To enable the Erie County Agricultural Society to borrow money.

WHEREAS, John A. Tracy, Wilson King, Robert Evans, John Burton, and John Berst, of the county of Erie, did purchase about forty acres of land, in the township of Mill Creek, in said county, and have received a title thereto, in their joint names:

And whereas, Said land was purchased, and is held, by them, in trust, for the use of the Erie County Agricultural Society, and said society is, now, in the possession thereof, and has made valuable improvements thereon:

And whereas, The above named purchasers desire to transfer the title to said real estate to the said agricultural society, as fully as the same is now held by them, as soon as the purchase money, advanced by them, or for which they are liable, is paid, or secured; therefore, to enable said society to pay, or secure, the purchase money of said real estate, and to complete the improvements began thereon,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said agricultural society be, and it is hereby, authorized to issue bonds, to the amount of five thousand dollars, with, or without, coupons attached, bearing interest at the rate of six per cent. per annum, payable semi-annually, at the office of said society, in the city of Erie; said bonds to be payable, at the same place, five years after the date thereof; but no bond shall be issued for a less sum than fifty dollars; and to secure the payment of said bonds, at maturity, and the interest thereon, as it falls due, the president of said society is, hereby, authorized to execute a mortgage, on said real estate, under his hand, and the seal of said society, to such person, or persons, as the president and managers of said society may select, in trust, nevertheless, for the payment of said bonds, and the interest thereon, according to their tenor and effect, and for no other purpose whatever; and the proceeds, of said bonds, shall be applied to the payment of the purchase money of said land, and the improvement of said real estate, for the purposes of said society, and to no other use, or purpose, whatever.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 603.

An Act

To incorporate the Pioneer Shaft Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators. That Burd Patterson, Bernard Reilly, Eli Bowen, F. W. Hughes, Abraham Hart, Enoch W. M'Ginnes and John Tucker, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, under the name, style and title of the Pioneer Shaft Company, by which name the said corporators shall have perpetual succession, and enjoy all the privileges, incidents and franchises, usually pertaining to a corporation, and not inconsistent with the powers and duties hereinafter set forth, for and during the space of twenty years, from and after the passage of this act; and that the capital stock of said company shall be two hundred thousand dollars, to be divided into shares of fifty dollars each, with the privilege of increasing the same, from time to time, to any amount, not exceeding six hundred thousand dollars.

Name.

Privileges.

Limitation.

Capital stock.

Meeting of corporators. **SECTION 2.** That the above named persons, or such of them as shall, by signature, accept this charter, and such as they shall associate with them, shall meet, as soon as convenient, after the passage of this act, and after giving reasonable notice of the time and place of a future meeting, for the purpose of considering the provisions of this act; and, in case of the acceptance of the same, shall proceed to elect, by ballot, five of their number, to serve as directors, for the term of one year thereafter, and until their successors shall be duly elected, and annually, thereafter, at such time and place as shall be appointed by the directors, to serve for one year, and until their successors shall be duly elected; and each share of stock shall entitle the holder thereof to one vote; the directors, so chosen, shall elect one of their number as president of the corporation, and all other officers and agents of the corporation shall be elected and appointed, as shall be prescribed by the by-laws; upon notice of the acceptance of the provisions of this act, and the due organization of the board of directors, in the manner aforesaid, to the governor of this commonwealth, there shall be granted, in the usual form, letters patent to the corporators.

Notice.

Election of directors.

Votes.

Officers.

Letters patent.

Objects and powers. **SECTION 3.** That it shall be lawful for the said corporation to have, and to hold, coal lands, coal or mineral rights, and estates, in such lands, or coal, or mineral rights, in fee simple, or for terms of years, or in fee simple as to part, and for a term, or terms of years, as to part; and, in cases of terms for years, subject to such reasonable rent, per ton, on all coal, or other minerals, as may be agreed upon; and it shall, and may, be lawful, for said corporation, to place a valuation upon said lands and estates,

for years, as it shall deem prudent and right, and the same to convert into a common stock, which shall be divided into a convenient number of shares, and apportioned among the several corporators, according to such interests as they may have, or acquire therein, respectively, immediately before the conveyance of such lands, or estates, to said company, and for which, certificates of stock shall be issued, from time to time, as said lands and estates are acquired, signed by the president, with the corporate seal thereto affixed, and attested by the treasurer; such certificates shall be issued, and made transferable, as the directors may prescribe, by their by-laws; and the shares of stock, so created, shall, for all purposes, be deemed and treated as personal estate: *Provided*, That it shall be lawful for any railroad, or canal, company, engaged in the transportation of coal, from Schuylkill county, to take any portion of the loan, authorized by this act, at such price, and on such terms, as may be agreed upon by them, or either of them, with the corporation hereby created.

Certificates of stock.

Transferable.

Proviso.

SECTION 4. That, in like manner, certificates of stock may be issued, for all moneys subscribed, or paid into said company, for the making of any of the improvements, or openings, upon their lands, or estates, as aforesaid, as herein authorized.

Subscriptions.

SECTION 5. That the lands and estate of said company shall be in the county of Schuylkill, and in, or within, three miles of the borough of Pottsville, and not to exceed two thousand acres; and the said company shall have the power, and authority, to open and develop said lands, and fully prepare the same for mining operations; and, for this purpose, may sink slopes and shafts, erect breakers, mining houses, and tenements, construct lateral railroads, and do all things needful for the development of said lands and estates, except that said company shall not be engaged in the business of mining, and selling coal, but may accept of coal mining leases, with the right to sub-let to mining tenants, and may contract for the right of way, and landing room, for all coal mined from their lands, or estates, by tenants aforesaid.

Location and amount of lands to be held.

Development of lands and construction of lateral railroads, relative to.

Prohibition.

SECTION 6. That it further be lawful for said corporation, to demise, and let, for a period, or periods, of not exceeding thirty years, to such person, or persons, as may be selected, and upon such terms as may be agreed upon, any of the said lands, and the right and privilege of mining, taking and carrying away, the coal, iron ore, and other minerals and materials, therefrom, and to aid in the development of the minerals, and other materials, and the use and transportation of the same to market.

Authorized to let portion of lands, &c.

SECTION 7. That this corporation shall pay into the treasury of the commonwealth, a bonus of one-half of one per centum, on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such other tax as is now, or may hereafter be, imposed, by law, on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers, employed by said company, and for all materials and provisions furnished to said company, to be sued for, and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incor-

Bonus.

Individual liability.

- porating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three : *Provided*, That no stockholder shall be held individually liable, for any such debts, unless the same shall be sued for within one year after the same shall become due.
- Proviso.** SECTION 8. That it shall, and may, be lawful, for said company, to borrow, at a rate of interest, not exceeding eight per cent., for the purposes of said improvements, and the development of said lands and estates, as aforesaid, a sum, not exceeding one hundred and fifty thousand dollars, and to issue their coupon bonds therefor, in sums not less than one hundred dollars each, and, to secure the same, by a mortgage, or mortgages, of all their lands, estates, buildings, improvements, and corporate franchises.
- May borrow money and issue bonds.**
- Dividends.** SECTION 9. That said company may make semi-annual dividends of the net profits and receipts of the same, to, and among, all the stockholders, whether for stock issued, for capital paid in, for improvements, as aforesaid, or distributed, as hereinbefore prescribed, for lands, or estates, as aforesaid.
- Tax upon dividends and lands.** SECTION 10. That the dividends of said company shall be subject to such taxation, as is imposed upon other corporations, by the general laws of this commonwealth; and that the lands of said company shall be subject to state, and county, and local municipal taxes, according to the assessors' valuation thereof, as the lands of individuals are assessable, and taxable, and that the payment of such taxes shall exempt said corporation, and the stockholders therein, from any tax upon the capital stock, issued for lands, or estates, as aforesaid.
- Seal.** SECTION 11. That it shall be lawful for the said directors, or a majority of them, and of whom a majority shall constitute a quorum, to adopt a common seal, with appropriate device, for the use of said corporation; and the certificates of stock, and other official acts of the corporation, shall be authenticated, by affixing the same; and to enact such by-laws, and regulations, as may be expedient, for conducting and regulating the affairs of the corporation: *Provided*, That the same shall not be inconsistent with the constitution and laws of this commonwealth.
- By-laws.**
- Reservation.** SECTION 12. That the legislature reserves the right to amend, or repeal, this act, if the same shall, hereafter, be considered as incompatible with the general good of the commonwealth; but, in such wise, nevertheless, as to do no injustice to stockholders, purchasers, and lessees, of the said lands.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 604.

A Supplement

To the act, entitled "An Act authorizing the Governor to incorporate the Columbia Water Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the president and managers of the Columbia Water Company be and they are, hereby, authorized, and empowered, to increase the capital stock of the said company, from time to time, and in such sum, or sums, as they may deem advisable, to the amount of fifty thousand dollars, and no more; and that they have full power, and authority, to enter into, and upon, Increase of capital stock authorized.

all lands and enclosures, necessary to obtain any additional supply of water, from all springs, or streams, whatever, and to appropriate the same to their use; and thence, by means of pipes, trunks, aqueducts, dams, reservoirs, or other devices, conduct such water to the reservoir, or reservoirs, of said company, doing as little damage as possible to private property, and paying for whatever injury shall be done, by them; such damages to be assessed by three disinterested freeholders, appointed on the application of the said president and managers, or the party who shall be aggrieved, to the court of common pleas of Lancaster county, as is directed by the seventh section of the act of assembly, entitled "An Act to authorize the Governor to incorporate the Columbia Water Company," approved twenty-ninth March, one thousand eight hundred and twenty-three. May enter upon lands, &c., for supply of water.

SECTION 2. That it shall, or may, be lawful for the said president, and managers, to purchase, and hold, any number of acres of ground, not exceeding fifty, upon which any spring, or stream, of water, may be found, and which they shall deem necessary for the purpose of increasing their supply of water for public, or domestic, use. Damages.

SECTION 3. That on, and after, the first Monday of January, one thousand eight hundred and sixty-two, the number of managers of the said Columbia Water Company, shall not exceed seven. Authorized to purchase ground.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 605.

An Act

To incorporate the Northern Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That M. H. Horn, junior, John Thomas, Jonas Biery, Doctor Abraham Stout, James M. Porter, junior, and such other persons as shall be associated with them, or a majority of them, and their successors, be and the same are hereby erected into a body corporate and politic, under the name, and style, of the Northern Iron Company, for the purpose of manufacturing iron, from the crude state, into any shape, in the counties of Lehigh, Carbon and Northampton, with a capital stock of two hundred and fifty thousand dollars, with the power to increase the same to five hundred thousand dollars, to be divided into shares of fifty dollars each; the said company to be subject to all the limitations and restrictions, and to have all the powers, rights and privileges, contained in an act, entitled "An Act to incorporate the Eastern Iron Company," passed the ninth day of April, Anno Domini one thousand eight hundred and fifty-nine, and the supplement thereto, entitled "A supplement to the act to incorporate the Eastern Iron Company," approved the twenty-second day of February, Anno Domini one thousand eight hundred and sixty.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 606.

A Further Supplement

To an act incorporating the Erie and Pittsburg Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Erie and Pittsburg Railroad Company be and they are hereby authorized, to construct such branch railroads as they may deem expedient, each not exceeding ten miles in length, on the same terms and conditions, as in the act to which this is a supplement: *Provided*, That the provisions of this supplement shall not extend to that part of the Erie and Pittsburg railroad, proposed to be located in the county of Lawrence.

JOHN ROWE,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate pro tem.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 607.

A Supplement

To an act to incorporate the Sullivan County Coal Company, passed March twenty-sixth, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the Sullivan County Coal Company are hereby authorized to extend their railroad, when made, to the Barclay railroad, or the North Branch canal; and that the proviso, contained in the first section of the act to which this is a supplement, is hereby repealed: *Provided*, That that the real estate held by said company, for mining purposes, shall lie in the county of Sullivan: *Provided further*, That said company shall not enjoy manufacturing privileges.

JOHN ROWE,
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,
Speaker of the Senate pro tem.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 608.

An Act

To authorize the Pittston Baptist Church to sell certain Real Estate.

WHEREAS, Doctor Nathaniel Giddings, late of the borough of Pittston, Luzerne county, did, by his last will and testament, devise, in trust, for the use of the Pittston Baptist church, a certain lot of land, situate in said borough, and more particularly described in said will:

And whereas, The business of the place has since drawn off, from the vicinity of said lot, nearly all the population, so that it is no longer eligible, as a site for a place of meeting, for public worship; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of said church be, and they are hereby, authorized and empowered, to sell and convey, by public or private sale, as may be deemed advisable, all the right, title and interest of the said church, in and to the said lot of land, and invest the proceeds of sale thereof, in the purchase of such other more eligible lot, for the purposes aforesaid, as may be agreed upon by the trustees, aforesaid.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 609.

An Act

To incorporate the North American Shaft Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Henry C. Carey, Charles E. Smith, Seth Caldwell, F. W. Hughes, Abraham Hart, William Milnes, Jr., and Enoch W. M'Ginnes, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, under the name, style and title of the North American Shaft Title Company, by which name, the said corporators shall have perpetual succession, and enjoy all the privileges, incidents and franchises, usually pertaining to a corporation, and not inconsistent with the powers and duties, hereinafter set forth, for and during the space of twenty years, from and after the passage of this act.

SECTION 2. That the above named persons, or such of them as shall, by signature, accept this charter, and such as they shall associate with them, shall meet, as soon as convenient, after the passage of this act, and after giving reasonable notice of the time, and place, of a future meeting, for the purpose of considering the provisions of this act; and, in case of the acceptance of the same, shall proceed to elect, by ballot, five of their number, to serve as directors, for the term of one year thereafter, and until their successors shall be duly elected, and annually, thereafter, at such time, and place, as shall be appointed by the directors, to serve for one year, and until their successors shall be duly elected; and each share of stock shall entitle the holder thereof to one vote; the directors, so chosen, shall elect one of their number, as president of the corporation, and all other officers, and agents, of the corporation, shall be elected, and appointed, as shall be prescribed by the by-laws; upon notice of the acceptance of the provisions of this act, and the due organization of the board of directors, in the manner aforesaid, to the governor of this commonwealth, there shall be granted, in the usual form, letters patent, to the corporators.

SECTION 3. That it shall be lawful for the said corporation to have, and to hold, coal lands, coal or mineral rights, and estates, in such lands, or coal or mineral rights, in fee simple, or for terms of years, or in fee simple, as to part, and for a term, or terms of years, as to part; and, in cases of terms for years, subject to such reasonable rent, per ton, on all coal, or other minerals, as may be agreed upon; and it shall, and may, be lawful, for said corporation, to place a valuation upon said lands and estates, for years, as it shall deem prudent and right, and the same to convert into a common stock, which shall be divided into a convenient number of shares, and apportioned among the several corporators, according to such interests as they may have or acquire therein, respectively, immediately before the conveyance of such lands, or estates, to said company; and for which certificates of stock shall be issued, from time to time, as said lands and estates are acquired, signed by the president, with the corporate seal thereto affixed, and attested by the treasurer; such certificates shall be issued, and made transferable, as the directors may prescribe, by their by-laws; and the shares of stock, so created, shall, for all purposes, be deemed, and treated, as personal estate; and the capital stock of said company shall be two hundred thousand dollars, to be divided into shares of fifty dollars each, with the privilege of increasing the same, to any amount, not exceeding six hundred thousand dollars.

- Subscriptions.** SECTION 4. That, in like manner, certificates of stock may be issued, for all moneys subscribed, or paid into said company, for the making of any of the improvements, or openings, upon their lands, or estates, as aforesaid, as herein authorized: *Provided*, That it shall be lawful for any railroad, or canal, company, engaged in the transportation of coal, from Schuylkill county, to take any portion of the loan, authorized by this act, at such price, and on such terms, as may be agreed upon by them, or either of them, with the corporation hereby created.
- Proviso.**
- Amount, location and development of lands.** SECTION 5. That the lands and estate, of said company, shall be in the county of Schuylkill, and not to exceed two thousand acres; and the said company shall have the power, and authority, to open and develop said lands, and fully prepare the same for mining operations; and, for this purpose, may sink slopes and shafts, erect breakers, mining houses, and tenements, construct lateral railroads, and do all things needful for the development of said lands and estates, except that said company shall not be engaged in the business of mining and selling coal, but may accept of coal mining leases, with the right to sub-let, to mining tenants, and may contract for the right of way, and landing room, for all coal mined from their lands, or estates, by tenants aforesaid.
- Prohibition.**
- Authorized to let mining privileges, &c.** SECTION 6. That it further be lawful, for said corporation, to demise and let, for a period, or periods, of not exceeding twenty years, to such person, or persons, as may be selected, and upon such terms as may be agreed upon, any of the said lands, and the right and privilege of mining, taking, and carrying away the coal, iron ore, and other minerals and materials, therefrom, and to aid in the development of the minerals and other materials, and the use, and transportation of the same to market.
- Bonus.** SECTION 7. That this corporation shall pay into the treasury of the commonwealth, a bonus of one-half of one per centum, on the capital stock, hereby authorized, or hereafter created, in four equal annual instalments, and such other tax as is now, or may hereafter be, imposed, by law, on corporations; and the stockholders of said company shall be individually liable, for all debts due mechanics, workmen and laborers, employed by said company, and for all materials and provisions, furnished to said company, to be sued for, and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be held individually liable for any such debts, unless the same shall be sued for, within one year after they shall become due.
- Individual liability.**
- Proviso.** SECTION 8. That it shall, and may, be lawful, for said company, to borrow, at a rate of interest not exceeding eight per cent., per annum, for the purposes of said improvements, and the development of said lands and estates, as aforesaid, a sum, not exceeding three hundred thousand dollars, and to issue their coupon bonds, therefor, in sums not less than one hundred dollars each, and to secure the same, by a mortgage, or mortgages, of all their lands, estates, buildings, improvements, and corporate franchises.
- May borrow money and issue bonds.**

SECTION 9. That said company may make semi-annual dividends of the net profits and receipts of the same, to, and among, all the stockholders, whether for stock issued, for capital paid in, for improvements, as aforesaid, or distributed, as hereinbefore prescribed, for lands, or estates, as aforesaid. Dividends.

SECTION 10. That the dividends of said company shall be subject to such taxation as is imposed upon other corporations, by the general laws of this commonwealth; and that the lands of said company shall be subject to state, and county, and local municipal taxes, according to the assessors' valuation thereof, as the lands of individuals are assessable, and taxable, and that the payment of such taxes shall exempt said corporation, and the stockholders therein, from any tax, upon the capital stock, issued for lands, or estates, as aforesaid. Taxation.

SECTION 11. That it shall be lawful for the said directors, or a majority of them, and of whom a majority shall constitute a quorum, to adopt a common-seal, with appropriate device, for the use of said corporation; and the certificates of stock, and other official acts of the corporation, shall be authenticated, by affixing the same; and to enact such by-laws, and regulations, as may be expedient, for conducting, and regulating, the affairs of the corporation: *Provided*, That the same shall not be inconsistent with the constitution and laws of this commonwealth. Seal.
By-laws.
Proviso.

SECTION 12. That the legislature reserves the right to amend, or repeal, this act, if the same shall, hereafter, be considered as incompatible with the general good of the commonwealth; but, in such wise, nevertheless, as to do no injustice to stockholders, purchasers, and lessees, of the said lands. Reservation.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 610.

An Act

To incorporate the Trinity Evangelical Lutheran Congregation of the borough of Mechanicsburg, and its vicinity, in Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.	That Lewis Bricker, Peter Eberly, Isaac Baker, Phillip Uhler, John Shettle, John Riegel, Samuel Eckels, Robert Wilson and George Hummel, and their successors in office, duly elected, as hereinafter specified, be and they are hereby constituted, and declared, a body politic and corporate, in deed and in law, by
Title.	the name, style and title of the Trinity Evangelical Lutheran Congregation, of the borough of Mechanicsburg, and its vicinity.
Privileges.	SECTION 2. That said corporation shall have perpetual succession, and shall have the right, and power, to take, hold and enjoy, lands, tenements, rents, annuities, franchises, moneys, goods, chattels, and effects, which now are, or hereafter may be, conveyed, assigned, transferred, devised, or bequeathed, to said corporation, or to any person, or persons, in trust for it: <i>Provided</i> , That the clear yearly income thereof shall not exceed four thousand dollars.
Income.	
Seal.	SECTION 3 That the said corporation, by the name, style and title aforesaid, shall have power to adopt and use a common seal, and the same, at pleasure, to alter, and renew, and shall be able to sue and be sued, plead and be impleaded, in any court, or tribunal, of law, or equity, in all manner of suits, complaints, pleas, matters, and demands whatsoever, and also shall
By-laws.	be able to make by-laws, rules and ordinances, and the same to alter, and amend, for the proper administration of the funds, and due government of the affairs, of said corporation: <i>Provided</i> , That said by-laws, rules, and ordinances be not repugnant to the constitution and laws of the United States, or to the constitution and laws of this commonwealth: <i>And provided further</i> , That every by-law, or alteration thereof, be proposed at least eight days before enacted.
Proviso.	
Proviso.	
Membership.	SECTION 4. That the members of said church shall consist of those, only, who participate in the Lord's Supper, according to the formula for the government, and discipline, of the Evangelical Lutheran church, within one year, unless prevented by sickness, or absence, and who profess, and adhere to, the tenets and doctrines of the Evangelical Lutheran church, and shall have paid contribution toward the discharge of the yearly expenses of the congregation, according to their ability, within one year.
Expiration of terms of corporators.	SECTION 5. That the said corporation, by the name and style aforesaid, shall always be represented by a council, consisting of nine members, of whom six shall constitute a quorum; that the corporators shall compose said board, until the first Wednesday of January, Anno Domini one thousand eight hundred and sixty-three; that, on said first Wednesday, the term of the three corporators, Peter Eberly, Isaac Baker and Phillip Uhler, shall terminate, and an election shall, on said day, be held, to supply their place; that, on the first Wednesday of January, Anno Domini one thousand eight hundred and sixty-four, the term of the three corporators, Lewis Bricker, John Shettle and Samuel Eckels, shall terminate, and an election shall, on said last mentioned day, be held, to supply their place; and that, on the first Wednesday of January, Anno Domini one thousand eight hundred and sixty-five, the term of the three corporators, John Riegel, Robert Wilson and George Hummel, shall ter-

minate, and an election shall, on said last mentioned day, be held, to supply their place.

SECTION 6. That the stated meeting, for the election of three members of council, shall be the first Wednesday of January of every year; that the duration, in office, of said members of council, shall be three years; that to be eligible, for such office, the candidate must possess all the qualifications necessary for an elector, as hereinafter specified, and must, at the time of election, be in full communion with the church aforesaid, by having partaken of the sacrament of the Lord's Supper. Election and qualifications of council.

SECTION 7. That on the death, removal, or resignation, of any member of council, or in the event of failure to elect a member, or members, then, and in every such case, a new election, to supply the vacancy, shall be held, upon the remaining members of council, or a majority of them, giving seven days' notice of the time and place of election. Vacancies.

SECTION 8. That the power of the council shall extend to the temporalities of the church, in rating, and letting, the pews, collecting the pew rents, or other dues of the church, receiving the public collections, keeping the place of worship in repair, providing for, and paying, the debts of the church, either by bond and mortgage, or otherwise, paying the salary of the minister, clerk and sexton, and, when the funds admit of it, to relieve the poor of the congregation, and maintain a school; but they shall have no power to alienate the church, or lot of ground, or dispose of the public moneys, for any other use than that for which they were intended: *Provided*, That the council of said congregation shall have power to borrow money, to any amount, not exceeding three thousand dollars, for the purpose of paying any debt, or debts, which are now due and owing, or may become due, by said congregation, for the erection of their present church, or place of worship, or any improvements made thereto, and secure the same by judgment bonds, or mortgages, on any property belonging to said congregation. Powers and duties of council.

SECTION 9. That the council shall meet the Monday next after the regular election on the first Wednesday of January, in each year; they shall choose, from among themselves, a president, treasurer and secretary, and from among themselves, or other members of the church, a sexton; they shall keep fair books of their proceedings, and of the moneys received, and expended, by them, and shall annually make up a statement of their accounts, on the day of election for members of council, on which day they shall exhibit, to the electors, said statement. Meeting of council.

SECTION 10. That meetings of the council shall be called by the president, of his own accord, or at the desire of any two members, the notification to be given, either on a Sabbath day, after public worship, or by written notices, left at the dwelling house of each member. Election of officers.

SECTION 11. That in all elections to be held, every person, who is in full communion with this congregation, and who submit to its government and discipline, regularly administered, and who shall appear, by the books of the congregation, to be either a pew-holder, in the church, or at least, shall have been Statement of accounts.

How meetings to be called.

Qualifications of electors.

Proviso. a contributor to its support, shall be entitled to the rights of an elector, and not otherwise: *Provided always*, That the pastor, for the time being, shall be entitled to vote equally with any member of said congregation.

Congregational meetings, relative to.

SECTION 12. That congregational meetings shall be composed of those who are qualified to be electors of members of council; that those meetings shall be convened at the call of the council, either of their own accord, or upon the written request of any six members; that the object of the meeting shall be mentioned in the call therefor, and at least three days shall intervene between the notice given and the time of meeting, and that the pastor of the church shall have a vote, as well at all congregational meetings, as at the election of trustees.

Election of pastor.

SECTION 13. That the said congregation shall have full power and authority, from time to time, to elect their pastor; which elections shall always be held by ballot, by the members of the congregation, qualified as aforesaid; two-thirds of the votes cast, in all such cases, shall be conclusive; and no pastor, of the said congregation, elected in manner as above mentioned, shall be dismissed, except by a vote, finally taken, of the qualified members of said congregation; and no minister of the gospel shall ever be elected as pastor of said congregation, unless he is in full communion with the Evangelical Lutheran church, agreeably to the tenets, rights and ceremonies thereof.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 611.

An Act

To incorporate the Lackawaxen Bridge Company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Moses Brink, William Westfall, William Kirkum, Patrick Saxton, Almanser Griswold, George H. Rowland, and John M. Williamson, of Pike county, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, under the name, style and title of the

Lackawaxen Bridge Company, for the purpose of erecting a **Name.**
bridge across the Lackawaxen river, at, or near, lock number **Location of**
ten, of the Delaware and Hudson canal, in Pike county. **bridge.**

SECTION 2. That the capital stock of said company shall be **Capital stock.**
one thousand five hundred dollars, to be divided into shares of
ten dollars each, with power to increase the said capital stock,
and number of shares, to an amount sufficient for the erection
of said bridge.

SECTION 3. That said company shall be organized under, and **Subject to.**
subject, to all the provisions and restrictions of the act regu-
lating bridge companies, approved the twelfth day of April,
Anno Domini one thousand eight hundred and fifty-five.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thou-
sand eight hundred and sixty-two.

A. G. CURTIN.

No. 612.

An Act

To incorporate the Jamestown and Franklin Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Represen-
tatives of the Commonwealth of Pennsylvania in General Assem-
bly met, and it is hereby enacted by the authority of the same*
That William Gibson, John P. Vincent, George A. Bittenban- **Commissioners.**
ner, W. L. Scott, Henry C. Hickok, Thomas Hoge, A. W.
Raymond, and David Hadley, or a majority of them, be and
they are hereby appointed commissioners, to open books, re-
ceive subscriptions, and organize a company, by the name and
style of the Jamestown and Franklin Railroad Company, with **Style.**
all the powers, and subject to all the restrictions, of an act,
entitled "An Act regulating railroad companies," approved **Subject to.**
the nineteenth day of February, Anno Domini one thousand
eight hundred and forty-nine, and the several supplements
thereto.

SECTION 2. That the capital stock of said company shall be **Capital stock**
five hundred thousand dollars, to be divided into shares, of fifty
dollars each; and the said company shall have power, by a vote
of a majority of the stockholders, at a meeting, called for that
purpose, to increase said capital stock, to such an amount as
may be necessary to complete said railroad; and the said com-

Authorized to borrow money and issue bonds.

Proviso.

Construction and location of road.

May connect with other roads, and purchase any unfinished road.

Damages, assessment and payment of.

Board of managers.

Corporations may subscribe to capital stock.

Repeal.

pany are hereby authorized to borrow any sum of money, not exceeding the sum of five hundred thousand dollars, and to issue bonds therefor, with, or without, coupons attached; and the directors of said company shall have power to give such bonds such preference, or security, by mortgage, or otherwise, as they may deem advantageous: *Provided*, That no bond shall be for a less sum than one hundred dollars, and that such rate of interest, not exceeding seven per centum, per annum, as may be agreed on, shall be lawful.

SECTION 3. That said company shall have the right to build and construct, a single, or double, track, railroad, from the borough of Jamestown, in the county of Mercer, to the borough of Franklin, in the county of Venango, and shall also have the right to connect the said railroad with other railroads, now built and constructed, or to be, hereafter, built and constructed, at either end, or at any intermediate point thereof; and the said company shall, also, have the right to purchase, hold, finish, equip and use, any unfinished railroad, within the counties of Mercer and Venango.

SECTION 4. That in all cases, where said company, and the owners of lands, and materials, cannot agree upon the amount of damages claimed, either for land, or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be, that the company will pay, or cause to be paid, such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon, by the parties, or assessed, according to law; and that, in case the party, or parties, claiming damages, refuse to accept the bond, or bonds, tendered by said company, the said company may cause the same to be presented to the court of common pleas, of the county in which the said land shall lie, or to any judge thereof, in vacation, and the said court, or judge, if the amount, and security, be deemed sufficient, shall endorse thereon, approved, and ordered to be filed; and, thereupon, the said company shall have the like rights and privileges, as they would have, by this section, if such bond had been accepted by the owner, or owners, of the lands, or materials.

SECTION 5. That the board of managers, of said company, shall consist of a president, and six directors.

SECTION 6. That it shall be lawful for corporations, other than municipal corporations, to subscribe to the capital stock, and to purchase the bonds of the said company, and to receive, hold, and sell the same, in the same manner, as other property belonging to said corporation.

SECTION 7. That all acts, and parts of acts, inconsistent with the provisions of this act, be and the same are hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 613.

An Act

To extend the act incorporating the Farmers' Mutual Fire Insurance Society of Warminster, in Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to incorporate the Farmers' Mutual Fire Insurance Society of Warminster, in Bucks county," approved the twenty-fourth day of March, one thousand eight hundred and forty-three, be and the same is hereby extended, and continued, until the same be repealed by law.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 614.

An Act

Supplementary to an act, entitled "An Act to incorporate the Goshenhopen Mutual Fire Insurance Company," approved the third day of March, one thousand eight hundred and forty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the act to incorporate the Goshenhopen Mutual Fire Insurance Company, approved March third, Anno Domini one thousand eight hundred and forty-three, be and the same is hereby extended, and continued, in full force and virtue, for the term of twenty years, from the third day of March, one thousand eight hundred and sixty-three. Charter extended.

SECTION 2. That the board of managers, of said company, shall have the power to amend the by-laws of the same, to take effect upon the commencement of the period, for which the charter of said corporation is hereby extended, subject to the By-laws may amended.

Proviso.

same restrictions, as is provided in the act to which this is a supplement: *And provided*, That the amendments to said by-laws shall be published once a week, in at least one newspaper, in each of the counties of Montgomery, Berks, Lehigh and Bucks, respectively, during six weeks before the same shall go into effect.

Policies to be continued in force.

Proviso.

SECTION 3. That all policies of insurance, heretofore issued by said company, shall be extended, and continue in full force and effect, on and after the third day of March, one thousand eight hundred and sixty-three: *Provided*, The holders thereof shall, before that date, renew the notes deposited by them, under the seventh section of the act of assembly referred to, and incorporated in the act to which this is a supplement, and shall, in all other respects, comply with the by-laws of said company, as the same may be amended, under the authority of this act.

Authorized to raise a fund by assessments.

SECTION 4. That it shall be lawful for the board of managers, of said company, by assessments, to be made upon its members, in the mode now provided in its charter, for the assessments, for the payment of losses by fire, to raise, and, from time to time, to renew, and keep on hand, for the same purpose, a fund not to exceed, at any one time, the sum of five thousand dollars.

Officers or members to be competent witnesses in certain cases.

SECTION 5. That any officer, or member, of said company, shall be a competent witness for, or against, said company, in any action, or legal proceeding, to prove the service upon another officer, or member, of said company, of any notice which may be required by the charter, or by-laws, of said company.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 615.

An Act

Incorporating the Pleasant View Church, in Fayette county.

WHEREAS, The members of the Pleasant View church, in Fayette county, have prayed for an act of incorporation, for the better management of their affairs; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said corporation shall be called, and known, by the name, style and title of the Pleasant View church, of Fayette county, and, by the same name, shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in all courts of law, and elsewhere, and shall be capable, in law and equity, to take, hold, and receive, to them and their successors, for the use of the said church and congregation, lands, tenements, goods and chattels, of whatsoever kind, nature or quality, real, personal or mixed, which are now, or shall, or may, at any time hereafter, become the property of said church, or congregation, to be held for their use, by gift, grant, bargain, sale, conveyance, devise, bequest, or otherwise, from any person, or persons, whomsoever, capable of making the same, and the same to grant, bargain, sell, mortgage, improve, or dispose of, for the support of a pastor, or pastors, and other officers, and charitable purposes, of the said congregation: *Provided*, That the clear yearly value, or income, of the said estates, shall not exceed the sum of two thousand dollars.

Incorporation.
Title.
Privileges.

SECTION 2. That the business of said congregation shall be conducted by five trustees, who shall choose, from their number, a president and secretary, and may appoint a treasurer, and such other officers as the said trustees may, from time to time, deem necessary, for the better government of said congregation; and until others are, or shall be, elected, as is hereinafter provided, the following named persons shall be the trustees, viz: John C. McCormick, Samuel Brown, Emanuel Campbell, John G. Hornbeck and Benjamin Hill, to continue in office until the first Monday of November next, on which day, the members of said congregation shall elect five persons, to serve as trustees, for one year, or until their successors are elected, by ballot; and their places shall be supplied at the annual election, to be held, for that purpose, in each year, on the first Monday of November: *Provided*, That, in case of vacancy, by death, or otherwise, the remaining trustees shall appoint a person to supply the same, until the next election.

Income.

Election of trustees and officers

Trustees to act until election.

Vacancies.

SECTION 3. That the said trustees, and their successors, shall have full power to enact, and enforce, all such by-laws, and ordinances, as they shall think proper, for the regulation and transaction of business of the said congregation; to change the time, and place, of holding their annual election, as the same may be found convenient; and, if the congregation neglect, on the day of annual meeting, to hold their election, the trustees may appoint any subsequent time, at which such election shall be held; the time, and notice, thereof, to be regulated by the by-laws: *Provided*, That all by-laws be in accordance with the constitution of the United States, and the constitution and laws of this commonwealth.

By-laws.

Provide.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 616.

An Act

To incorporate the Presbyterian Parsonage Association of Leacock Congregation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators. That Nathaniel E. Slaymaker, Jonathan Leidigh, Henry Eckert, Thomas S. Woods, Robert M'Irvine, Sylvester Kennedy, Jas. M'Irvine, Molton R. Sample and Nathaniel Gillespie, and such other persons as shall be associated with them, and their successors, be and the same are hereby erected into a body corporate and politic, by the name, style and title of the Presbyterian Parsonage Association of Leacock Congregation, with a capital stock of twenty-five hundred dollars, with power to increase the same to four thousand dollars, to be divided into shares of twenty-five dollars each; and the object of the association shall be to purchase a lot of ground, and erect thereon suitable buildings, and necessary improvements, for a residence of the pastor of the Leacock Presbyterian congregation.

Name.

Capital stock.

Objects.

Membership. **SECTION 2.** Each member of this association subscribing, and paying over to the treasurer, twenty-five dollars, will be entitled to one share of stock, and to his share of the rents, profits, or incomes, of said property, in proportion to the amount of his stock, after deducting expenses for taxes, repairs, &c.

Privileges. **SECTION 3.** This association, and their successors, shall be able, and capable, in law, to take, receive, hold and enjoy, all, and all manner of, lands, tenements, rents, annuities, hereditaments, franchises, and any sums of money, and any manner, and portion, of goods, and chattels, bequeathed to them, to be employed, and disposed of, according to the objects, articles and conditions hereof, or according to the by-laws of this corporation, or the will, and intention, of the donor: *Provided always, That* the clear yearly value, or income, of the real estate of said association, shall not exceed the sum of five hundred dollars.

Income.

Election of trustees. **SECTION 4.** That the affairs of said association shall be managed by a board of trustees, consisting of nine members, to be elected, by the stockholders, on the third Saturday in March, in each year, to serve for one year, or until others are elected, unless removed for cause, by a vote of two-thirds of the stockholders, at a special meeting called for that purpose, by any five of said stockholders, they giving public notice, of said meeting, at least two weeks prior to holding the same.

Votes. **SECTION 5.** Each stockholder, who shall have paid in his amount of stock subscribed, or so much as may be required of him, from time to time, shall be entitled to vote as follows, viz: each stockholder shall be entitled to one vote, and for each additional share, one vote; but no member shall be entitled to more than eight votes.

SECTION 6. No loss, or impediment, to the association, shall take place, by reason of any omission to elect trustees, at the time specified; but the same officers shall continue to enjoy all the power, and authority, vested in them by this act, until an election shall be duly held, at a succeeding annual meeting of the association, for electing officers.

SECTION 7. The board of trustees shall have power to fill vacancies in their own body, and the persons, by them chosen, or elected, shall continue to be officers until the next annual election; and nothing in this section, or act, shall be so construed to prevent the re-election of such officers.

SECTION 8. That this corporation, or association, shall have authority to have, hold and use, a common seal, and the same to change, alter, or amend, at pleasure; and by the name, style and title aforesaid, shall be capable, in law, to sue and be sued, before any court in this commonwealth; and may do, and make, all needful rules, regulations and by-laws, for the well ordering of the business affairs of the corporation, so that the same in no wise conflict with, or be contrary to, the laws and constitution of this commonwealth, or of the United States.

SECTION 9. That the stock may be transferred, agreeably to the by-laws which may be adopted by the corporation.

SECTION 10. The board of trustees, elected each year, shall choose, from their own number, one person as president, one person as secretary, and one person as treasurer; and a majority of the board of trustees shall constitute a quorum to do business.

SECTION 11. The secretary shall keep a book of the minutes of the proceedings of said association.

SECTION 12. The treasurer of the association shall, at least once in each year, render a statement of the finances of the association, if required to do so, and shall pay over, to each stockholder, on demand, once in each year, his *pro rata* proportion of any moneys, for incomes, or rents, which he may have received for said association.

SECTION 13. That the stockholders of said association shall be jointly, and severally, liable, in their individual capacities, for debts due mechanics, workmen and laborers, employed by said company.

SECTION 14. That the legislature hereby reserves the right to amend, alter, or repeal, this charter, at any time; in such manner, however, as shall do no injustice to the corporators.

SECTION 15. That the said N. E. Slaymaker, Jonathan Leidigh, Henry Eckert, Thomas S. Woods, Robert M'Ilvaine, Sylvester Kennedy, James M'Ilvaine, Molton R. Sample, and Nathaniel Gillespie, shall have full power to act as trustees, under this charter, until the time fixed for the first election of trustees, by this act, or until their successors be legally elected under this act.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 617.

An Act**To incorporate the Citizens' Gas Light Company.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Parke, junior, Wm. M. Bell, John Birmingham, R. T. Kennedy, James H. Childs, Josiah King, Dewitt C. Clapp, Charles A. Howe, Nathaniel Holmes, junior, John Otterson, John F. Jennings, and William Little, be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorized, to carry into effect the establishment of a gas company, to be called the Citizens' Gas Light Company, and to be located in the city of Allegheny, in the county of Allegheny, with a capital stock of thirty thousand dollars, to be divided into shares, of twenty-five dollars each; to be organized, managed and governed, as provided by an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, one thousand eight hundred and fifty-seven, and be subject to all the restrictions and provisions, together with all the immunities, rights and privileges, contained in said act: *Provided however,* That the price to be charged for the gas, manufactured and furnished by said company, shall not exceed the sum of one dollar and fifty cents, per every one thousand cubic feet.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 618.

An Act

To incorporate the Farmers' and Mechanics' Bank, at Shippensburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Greason, John Wunderlich, Thomas P. Blair, P. A. Ahl, Abraham Myers, junior, A. G. Miller and Joseph M. Means, who do now constitute the stockholders of the firm of Greason, Wunderlich and Company, Farmers' and Mechanics' Bank, at Shippensburg, or such persons as shall, hereafter, become stockholders of the same, shall be, and are hereby, created a corporation and body politic, as a bank of discount and deposit, by the name and style of the Farmers' and Mechanics' Bank, of Shippensburg, and shall so continue, until the first Tuesday of April, Anno Domini one thousand eight hundred and seventy-seven; and, by that name, shall, and may, sue and be sued, plead and be impleaded, defend and be defended; and, by that name, are hereby made able and capable, in law, to have, purchase, receive, possess, enjoy and retain, to them and their successors, such real estate as may be necessary for the transaction of their business, not exceeding, in value, ten thousand dollars, except such as may be held, by said company, as security for debts, and the same to sell, grant, mortgage or demise; also, to make, have and use, a common seal, and the same to alter and renew, at pleasure; and, also, to establish, and put in execution, all such by-laws and regulations, as they shall deem necessary, for the governing and regulating said company.

Corporators.

Name.

Privileges.

Seal.

By-laws.

SECTION 2. That the joint stock, and all the goods, chattels, money, debts, and other property, real and personal, now belonging, or due, and payable to, or to become due, and payable to; or held in trust, for the said company, shall, and the same are, hereby, transferred to, and vested in, the corporation hereby created; and all contracts made with the said company, or any person, or persons, for their use, shall enure and operate for the benefit of, and be performed to, and with, the said corporation; and the said corporation shall be liable for all contracts entered into by said company, before the passage of this act: *Provided*, That this section shall not be construed so as to exonerate the stockholders from their liability for all debts contracted previous to the passage of this act: *Provided further*, That the stockholders of said company, or corporation, in addition to the corporate liability, shall be jointly and severally liable, to the creditors of said bank, in their individual capacities, for the amount of all deposits made with said company, or corporation, whether the same be interest, or transient deposits.

Stock and other property of certain banking company transferred to this corporation.

Liable for all contracts entered into by company.

Proviso.

Liability of stockholders.

Capital stock.	SECTION 3. That the capital stock of said company shall be thirty thousand dollars, with the privilege of increasing it to one hundred thousand dollars, to be divided into six hundred shares, of fifty dollars each, which shall be paid in, in such instalments as the said corporation shall, by their by-laws, direct: <i>Provided</i> , That the said corporation may commence operations as soon as ten thousand dollars of the capital stock shall have been paid in.
Proviso.	
Management.	SECTION 4. That the affairs of said company shall be conducted by a president and six directors, as hereinafter directed and provided for; that the said president and directors, or a majority of them, shall elect a cashier, and such other officers as they may deem necessary, and fix the compensation of the same; and all officers shall give bond, with good security, in such sum as may be required by said board, for the faithful performance of their several duties.
Officers.	
Bond of.	
Office.	SECTION 5. That the said company shall keep their office in some suitable place, in the borough of Shippensburg, county of Cumberland, and state of Pennsylvania; and on the first Tuesday of November, after the acceptance of this charter, and on the first Tuesday of November, annually, thereafter, after two weeks' previous notice, the stockholders shall convene at the office of the company, and, by ballot, elect one person for president, and six persons for directors, who shall continue in office for one year; that, in the election of officers, the said stockholders shall be governed by the general laws of the commonwealth, regulating the manner of conducting elections in banks and saving institutions, and the number of votes to which the several stockholders shall be entitled, so far as the same may be applicable: <i>Provided however</i> , That no person shall be elected to any office, in said company, who is not a stockholder therein; nor any person who is a director, or officer, in any other banking institution, or saving fund company, or broker; and that all vacancies, occasioned by death, resignation, or refusal to serve, shall be supplied in such manner as said company may, by by-laws, direct.
Election of president and directors.	
How elections to be conducted.	
Qualifications of officers.	
Vacancies.	
What lands, tenements, &c., may be held.	SECTION 6. That the lands, tenements, hereditaments, made lawful, by this act, for said company to receive, hold, and dispose of, by sale, or otherwise, shall only be such as are requisite for its accommodation, in the transaction of the business of the company, and such as shall be <i>bona fide</i> mortgaged, or conveyed to it, in satisfaction of debts previously contracted, in course of its dealings, or purchased, when the same may be necessary to secure any debts due to said corporation: <i>And provided further</i> , That the said company, or corporation, shall not, of itself, or by, or through, any person, whatsoever, in trust, or in confidence, deal or trade, in buying or selling any goods, wares or merchandize, whatsoever, except in such goods as are really and truly transferred to them, in payment of debts, or in security of loan, or which goods may be the produce of lands owned by them: <i>Provided</i> , That nothing herein contained shall be so construed as to authorize said company to loan money, on the pledge, or hypothecation, of any goods, wares or merchandize, whatsoever.
Prohibition.	
Deposits, &c.	SECTION 7. That it shall be lawful for the said company, or

corporation, to receive deposits of money, and loan out the same, together with any other moneys they may have, by discounting negotiable notes, drafts, and bills of exchange, and to issue certificates for such deposits: *Provided*, That the rate of discount, at which loans may be made, by the said institution, shall not exceed one half of one per centum, for thirty days. Rate of discount.

SECTION 8. That the said bank shall be subject to the provisions and restrictions of the several acts regulating banks, as far as they are applicable thereto, and subject, also, to such further provisions, and restrictions, as the legislature may think proper to enact, for the further regulation of banks and saving institutions: *Provided however*, That the said bank shall not have authority to make, issue, and put in circulation, notes or bills, commonly known, or called, bank notes. Subject to. Not to issue notes.

SECTION 9. That the power to alter, revoke, or annul, this charter, is hereby reserved to the legislature, whenever, in their opinion, it may be injurious to the citizens of this commonwealth; in such manner, however, that no injustice shall be done to the corporators thereof. Reservation.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 619.

An Act

To incorporate the Shenango Valley Coal and Transportation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William L. Scott, John Hearn, Andrew Scott, John A. Tracy, William C. Curry and Henry Rawle, of Erie county; George Bittenbanner, Henry Forker, William Achre and James Pierce, of Mercer county; Richard Baker, Benjamin Rush Bradford and Jacob Henrici, of Beaver county; Alexander L. Crawford, R. W. Cunningham and Joseph Kissick, of Lawrence county, or any nine of them, be and they are hereby created commissioners, authorized to receive subscriptions to the capital stock hereby created, at such times, and places, as they may direct, after having given at least ten days' previous notice, in some paper published in the city of Erie, and in the counties Commissioners. Subscriptions to stock. Notice.

	of Lawrence, Beaver and Mercer, of the time, and place, when, and where, such subscriptions shall be received; and at the time, and place, so designated, in such public notice, the said commissioners, or any of them, shall attend for the purpose of receiving such subscriptions: <i>Provided</i> , That no subscription for such stock shall be valid, unless the person, or persons, so subscribing, shall, at the time of subscribing, pay to said commissioners two dollars and fifty cents on each and every share of stock subscribed.
Proviso.	
When letters patent to be issued.	SECTION 2. That when one thousand shares of the said capital stock shall have been so subscribed, the said commissioners, or any nine of them, shall certify to the governor of the state, under their hands and seals, the names of the subscribers, and the number of shares subscribed by each; whereupon, the governor shall, by letters patent, under his hand, and the seal of the commonwealth, create, and erect, the said subscribers, and those who shall thereafter subscribe to the said capital stock, their successors and assigns, into a body politic and corporate, in deed and in law, by the name, style and title of the Shenango Valley Coal and Transportation Company; and under said name, style and title, the said subscribers, their successors and assigns, shall have perpetual succession, with all the privileges and franchises incident to a corporation; and by the said name, style, and title, shall be capable, in law, to sue and be sued, plead and be impleaded, to have and use a common seal, to make rules and by-laws, for the regulation and management of the said corporation, not inconsistent with the constitution and laws of this commonwealth, and generally to do, and execute, whatever shall lawfully pertain to such bodies corporate.
Title.	
Privileges.	
Capital stock.	SECTION 3. That the capital stock of said company shall be and consist of two hundred thousand dollars, and shall be divided into four thousand shares, of fifty dollars each; and certificates of said stock shall be issued, and signed, by the president, and countersigned by the treasurer, of the company, and shall be transferable, subject to the by-laws of said company; in all elections, or stock votes, of the company, each share of the said capital stock shall entitle the holder thereof to one vote.
Certificates.	
Votes.	
Meeting of stockholders.	SECTION 4. That when one thousand shares of the capital stock shall have been subscribed, and letters patent issued, as aforesaid, it shall be the duty of the said commissioners to give at least ten days' notice, in one paper published in the county of Erie, and in one paper published in each of the counties of Lawrence, Beaver and Mercer, of the time, place of a meeting of stockholders; at which meeting, the said stockholders shall proceed to organize the said corporation, and shall choose, by ballot, in person, or by proxy, nine directors, a majority of whom shall be citizens of this commonwealth, from among the stockholders; and the directors, so elected, shall hold their offices until the next regular election, thereafter, and until their successors are duly chosen and qualified.
Notice.	
Election of directors.	
Officers.	SECTION 5. That the said directors shall, as soon as convenient after their election, choose one of their number to act as president for the ensuing year; they shall also appoint one person to act as secretary and treasurer, and they shall appoint

all other officers, and agents, of the company, as occasion may require; they shall also have power to fill all vacancies in the board, until the next regular election; at all meetings of the board, a majority of the directors shall constitute a quorum, for the transaction of business.

SECTION 6. That the president and directors may, from time to time, call in such instalments on the stock of said company, as they may deem advisable, of which public notice shall be given, in a paper published in the city of Erie, and counties of Mercer, Lawrence and Beaver, at least ten days preceding the time appointed for that purpose; and if any stockholder shall neglect to pay such instalment, so called for, six months after the time so appointed, such stockholder shall, at the discretion of the directors, forfeit, to the use of the company, all right, title and interest in, and to, all such shares, in which such default shall have been made; and the share, or shares, so forfeited, shall be disposed of, at the discretion of the directors; no stockholder shall be entitled to vote, at any election, or meeting, of the company, in whose share, or shares, any instalment, or arrearages, may be due, more than thirty days next preceding such election, or meeting.

Vacancies.

Quorum.

Instalments on stock, payment of.

Notice.

Forfeiture for non-payment.

Stockholders in arrears prohibited from voting.

SECTION 7. That the said company shall have the right to purchase, and hold, to them, and their successors and assigns, and to lease such lands, in the counties of Erie, Beaver, Mercer and Lawrence, as may be necessary for the purposes of said company; and also to purchase, lease, and hold, as aforesaid, any other real or personal estate, in said counties, necessary for the purposes of said company; they shall have the right to lease, or purchase, coal in the ground, with the privilege of mining the same, upon such terms as they may deem proper: *Provided*, That the lands, held in fee simple, by said company, shall not, at any one time, exceed two thousand acres.

Authorized to purchase or lease lands, &c.

Proviso.

SECTION 8. That the said company shall have the right to construct, equip and maintain, one or more railroads, to connect any of their lands of coal beds, with the Erie Extension canal, or any other canal, or railroad, now existing, or that may, hereafter, be constructed; the said railroads, respectively, shall not exceed, in length, five miles, and shall be constructed and maintained, so far as relates to the building, acquiring right of way, and other necessary lands, running said road, or roads, subject to the provisions of the general railroad law, approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine; said company shall, also, have the right to build, purchase, own and use, such said vessels, steamboats, and other boats, as may be necessary for the transportation and carriage of their coal, and other products, upon the lakes, and other public highways, within this commonwealth, to such point, or points, beyond this commonwealth, as the said company may select, as a market for their coal.

May construct railroads and build boats for transportation of coal.

SECTION 9. That the said corporation shall have full power and authority to borrow any sum, or sums, of money, not exceeding five hundred thousand dollars, on the bonds of the company, secured by the mortgage of the whole, or any part, of the property, and roads, belonging to the company, and the corporate rights thereto belonging, upon such interest as shall

Empowered to borrow money and issue bonds.

be agreed upon, not exceeding seven per centum per annum; and the said company are authorized to sell, and dispose of, such bonds, within, or beyond, this commonwealth, at such rates, above or below par, as may be agreed upon between the parties; and such sale shall be as valid, as if sold at par: *Provided*, That no such bond shall be issued, by said company, for a less sum than one hundred dollars; the said company shall, also, have power to contract any debts, or liabilities, necessary for the purposes of the company: *Provided further*, That the indebtedness of said company shall not, at any time, exceed two hundred thousand dollars.

Proviso.

Limitation as to amount of indebtedness.

Dividends.

SECTION 10. That dividends, of so much of the net profits of said company, as the directors shall deem advisable, may be declared, annually, or semi-annually, and paid to the stockholders, or their legal representatives, on demand, at any time after the expiration of ten days after the same shall have been declared payable, at the office of the company, or such place as the directors may designate; but the said dividends shall not, in any case, exceed the net profits actually acquired by the company, so that the capital stock shall never, thereby, be impaired.

Annual election, place of holding.
Notice.

SECTION 11. That the regular annual election of the said company shall be held on the second Wednesday in February, in each and every year; of which election ten days' notice shall be given, by the secretary, in a paper published in the city of Erie, and in a paper published in each of the counties of Lawrence, Beaver and Mercer; said elections, and all other meetings of the stockholders, shall be held at the principal office of the company, and, in such manner, as shall be designated by the by-laws of said company.

Principal office.

SECTION 12. That the principal office of said company shall be at the city of Erie.

Bonus.

SECTION 13. That this corporation shall pay, into the treasury of the commonwealth, a bonus of one-half of one per cent, on the capital stock hereby authorized, or hereafter created, annually, for the period of four years, and such other taxes as may, hereafter, be imposed, by law, on corporations.

Individual liability.

SECTION 14. That the stockholders of said company shall be jointly, and individually, liable, for all debts due mechanics and laborers, to be sued for, and recovered, as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna Iron and Coal Company, approved April fifth, one thousand eight hundred and fifty-three.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 620.

An Act

To incorporate the Dime Savings Institution, of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Josiah King, James Park, junior, F. Sellers, Alex. Bradley, C. Zug, Thos. S. Blair, C. H. Wolff, W. H. Smith, Henry Lloyd, A. S. Bell, B. F. Jones, S. H. Hartman, F. Rahm, H. F. Rudd, C. W. Ricketson, John M. Tiernan, T. D. Messler, A. Reinneman, Robert D. Cochran, Wheeler H. Phelps, W. Ihmsen, Jos. Dilworth, J. F. Jennings, Joshua Rhodes, D. M. Long, S. S. Foulter, Robert J. Anderson, George B. Jones, W. A. Read, J. W. Baxter, C. B. Herron, James W. Woodwell, Jacob Stuckrath, A. Slack, R. C. Schmertz, William Smith, D. E. M'Kinley, and their successors, be and they are hereby made and created, a corporation and body politic, by the name and style of the Dime Savings Institution, of Pittsburg, and, by that name, shall have perpetual succession, and, by law, be capable to hold and dispose of property, to sue and be sued, plead and be impleaded, answer and defend, in courts of law and equity, or in any other place, whatsoever; and to make, have and use, a common seal, and the same to alter and renew, at pleasure; and, generally, to do every act and thing necessary to carry into effect the provisions of this enactment, and promote the object and design of this act of incorporation, to be located in the city of Pittsburg, and county of Allegheny: *Provided*, That a misnomer of the said corporation, in any instrument, shall not vitiate the same, if the intent of the parties can be clearly ascertained.

Corporators.

Name.

Privileges.

Seal.

Misnomer.

SECTION 2. That the business of said corporation shall be to receive, on deposit, from time to time, such sums of money, not less than ten cents, as may be offered by mariners, tradesmen, clerks, mechanics, laborers, servants, minors and others, and to invest the same in the stocks of this commonwealth, or of the United States, or in stocks, or bonds, of any city, authorized to be issued, by any act of the legislature of this commonwealth, or in other stocks, and in bonds and mortgages; and, also, may buy promissory notes, not having more than six (6) months to run, with such endorsement, or endorsements, as may be approved of by the board: *Provided however*, That no rate of interest, or discount, exceeding ten per cent., shall be charged, in any such purchase of stocks, bonds, et cetera, authorized by the provisions of this enactment; the said corporation shall receive all sums of money that may be offered, as aforesaid, and shall invest the same, in the manner aforesaid, as soon as practicable; they shall allow, to the depositors, interest upon the deposits, to be regulated by the trustees, as hereinafter pro-

Deposits, how to be invested.

May buy promissory notes.

Rate of interest to be charged, in purchase of stocks, &c.

Interest to depositors.

Payment of deposits.	vided, and they shall pay the amounts deposited, with the interest thereon, or any part thereof, not less than ten cents, to the depositors, at the place of business of the said corporation, at any time, during business hours, on demand: <i>Provided however</i> , That not more than twenty-five dollars shall be required to be paid, to any one depositor, upon any one day, unless a written notice, of the sum intended to be demanded, shall have been given, at least ten judicial days before the time when such payment is desired to be made, unless by special agreement, made at the time of depositing.
Notice required where the amount exceeds \$25.	
What real estate may be held.	SECTION 3. That the real estate, which it shall be lawful for the said corporation to hold, shall be only such as is requisite for the accommodation, and convenient transaction of their business, and such as they may find necessary to purchase, either at judicial sales, or otherwise, to secure debts due to them.
Trustees.	SECTION 4. That the persons, named in the first section of this act, shall be the first trustees of the said corporation; and
Vacancies.	all vacancies, by death, resignation, or otherwise, shall be filled by the board, by ballot, without unnecessary delay, and at least six affirmative votes shall be required to elect; that the said trustees shall select, from among themselves, as soon as practicable, after the passage of this act, and annually, thereafter, on the third Tuesday in January, a president, twelve vice presidents, and such other officer, and officers, as they may deem advisable; that six of the said trustees shall form a quorum, and that the affirmative vote of at least six shall be requisite to authorize the sale, or transfer, of securities, or the appointment of any officer receiving compensation; that the president, vice president, or any trustee, or any officer, or servant, of said corporation, shall not, directly or indirectly, borrow the funds of the said corporation, nor any part thereof, nor use the same, or any part thereof, in any other manner than that hereinbefore provided, except for the necessary expenses, under the direction of the board of trustees; that the trustees shall meet at least once a month, and that any trustee, omitting to attend the said regular meetings, for six successive months, may, by a vote of the board, be declared to have vacated his office; that the said trustees shall have power to enact by-laws, not contrary to the constitution of the United States, the constitution of this state, or to the provisions of this act, and to alter the same, from time to time, as they may deem expedient.
Election of officers.	
Quorum.	
Sale or transfer of securities, &c.	
Prohibition.	
Meetings of trustees.	
By-laws.	
Trustees to report to the legislature.	SECTION 5. That the board of trustees shall, also, in the month of January, report, to the legislature of this state, the amount of funds on hand, the interest, and dividends, which have accrued thereon, and also the unclaimed deposits on which, at least, the sum of five dollars shall then be due, and which shall have been deposited by persons who have not, within the two years next preceding such report, made a deposit, or received a dividend, or payment, from said corporation, and shall publish the same, in one, or more, of the newspapers published in the city of Pittsburg; it shall be the duty of the trustees of the said corporation, to regulate the rate of interest to be allowed to the depositors, so that they shall receive, as nearly as may
To be published.	
Rate of interest to depositors.	

be, a ratable proportion of all the profits of said corporation, after deducting all necessary expenses; whenever it shall appear that there is an excess of twenty-five thousand dollars in the possession of said corporation, after the payment of the usual interest to the depositors, that sum shall be invested for the security of the depositors in said corporation; and, thereafter, at each annual examination of the affairs of said corporation, any surplus, over and above said sum, shall, in addition to the usual interest, be divided ratably amongst the depositors, in such manner as the board of trustees shall direct.

Investment of excess.

Division of surplus among depositors.

SECTION 6. That the officers, and agents, of the said corporation, shall give such security for their fidelity and good conduct, as the board of trustees may require; that, in all cases of loans upon real estate, the expenses of searches, examinations and certificates, and recording papers, shall be paid by the borrower; that the books of the said corporation shall, at all times, during business hours, be open for the inspection and examination of such person, or persons, as the legislature shall designate, or appoint, as agents, for that purpose; that the said corporation shall be subject to the supervision, and control, of the court of common pleas of the county of Allegheny, and the supreme court of Pennsylvania, according to the provisions of the constitution of this commonwealth, and of the several acts of assembly conferring equity jurisdiction upon the said courts.

Officers and agents to give security.

Loans upon real estate, expenses of examinations, &c.

Books to be open for inspection.

Subject to supervision of courts.

SECTION 7. That the trustees of said corporation shall have full liberty, at any time, on account of illegal or improper conduct, on the part of a depositor, or for any other reason, to refuse deposits from the same, and also, forthwith, to pay off, and close the account, of such depositor.

Trustees may refuse deposits.

SECTION 8. That the said institution shall have authority to loan money, at such rates of interest, not exceeding ten per centum, per annum, as shall enable it, after paying the expenses of the institution, and a dividend on its deposits, of six per centum, per annum, to accumulate a contingent fund, of ten per cent., on the deposits on hands: *Provided*, That the report required to be made by its charter, shall be made under oath, and shall include a statement of the amount of its contingent fund.

Authorized to loan money.

Contingent fund.

Report to be made under oath.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 621.

An Act

To vacate a certain trust.

Preamble.

WHEREAS, George N. Rogers, by his last will and testament, duly proven at Philadelphia, May eight, one thousand eight hundred and thirty-three, and recorded in book of wills, number ten, page six hundred and fifteen, &c., in the office of the register of wills for the city and county of Philadelphia, did, among other things, bequeath, for the benefit of his wife, in the words following, to wit: Item—I give, and bequeath, to my beloved wife, Hannah Ann Rogers, the sum of twenty-five thousand dollars, to be invested in public stocks, by my executors, excluding my said wife, hereinafter named; the interest accruing shall be paid to her, during her life, for her sole and separate use, and at her death, I authorize, and empower, her to dispose of the said principal sum of money, by her last will and testament, freely and absolutely, and in such manner as she may think proper; and then, by a further clause of his said will, disposed of the residue of his estate in like manner:

And whereas, The further continuance of said trust has become unnecessary, in the opinion of all parties interested therein; and it is the desire of the *cestui que trust*, who has both the right to receive all the income, and also, by will, to dispose of all the principal as she may choose, that the said trust should be annulled and vacated; therefore,

Certain trust
vacated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the said trust referred to, and recited in the preamble of this act, be henceforth annulled, avoided and vacated, and that Evans Rogers, the trustee now holding said trust, be and he is hereby authorized, and empowered, to pay over, and deliver, to Mrs. Hannah Ann Hanson, who was the widow of the said George N. Rogers, and who is the *cestui que trust*, before referred to, the entire principal of said trust estate, and all the investments of the same, free, and discharged, of, and from, the above recited trust, so that the said Hannah Ann may possess, and enjoy, the same, as if no trust had ever been created of the bequest to her.

Discharge of
trustee.

SECTION 2. That upon the settlement of his account of the said trust, and its confirmation by the court, and upon paying over, and delivering, to the said Hannah Ann, the *cestui que trust* of the estate, by him, the said Evans Rogers, so held in trust, and of the several investments, and securities, to the same pertaining, the said Evans Rogers, trustee, shall, upon his petition, be fully, and finally, discharged, by the court of common pleas, of the city and county of Philadelphia, of, and from, all further liability, and responsibility, whatsoever, in any

manner arising out of the said trust, created by said will, or of his having held, or discharged, the office, and duty, of trustee under the same.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 622.

A Further Supplement

To an act incorporating the Coudersport and Allegheny River Railroad Company, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the time for commencing the railroad, authorized by the act to which this is a supplement, be and the same is hereby extended five years, from the passage of this act. Time for commencing road extended.

SECTION 2. That the board of managers, of said company, shall consist of a president, and four directors, and in lieu of the incorporators named in the first section of the act to which this is a supplement, and the supplement thereto, Pierce A. Stebbins, S. C. Hyde, I. M. Bodine, Seth A. Backus and Robert G. White, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, as provided by the act aforesaid. Board of managers. New commissioners appointed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 623.

An Act

For the relief of the stockholders and creditors of the Fairmount Passenger Railway Company.

Preamble.

WHEREAS, The Fairmount Passenger Railway Company has become greatly embarrassed, by numerous unsettled claims, and complicated legal questions, arising from improvident expenditures, and from misconduct of its former officers, which cannot be determined for many years to come :

And whereas, The bondholders, stockholders, and creditors, interested in said company, have, by very general consent, agreed to the terms of a proposed compromise, whereby the difficulties and embarrassments, of said company, are to be adjusted and settled ; and it is proper that the litigation, likely to grow out of the complicated affairs of said company, should be avoided and prevented ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Number of shares of stock, to be issued, fixed.

Stock, heretofore issued, to be taken as part of the same.

That the number of shares of stock, authorized to be issued, by the said company, shall be sixteen thousand, and that the shares of stock, heretofore issued, by the said company, and which have been purchased, or hypothecated for valuable consideration, shall be estimated, and taken, as a part of the said sixteen thousand shares, and shall be as good and valid stock, as though the same had been regularly and lawfully issued by the said company.

Notes, heretofore issued, to be valid and binding.

SECTION 2. That all the notes, heretofore issued by the said company, and for which a valuable consideration has been given or paid, shall be valid and binding, upon the said company, to the extent of whatever value has been given, or paid, for the same, with interest, at the rate of six per cent. per annum therefor ; and the holders, thereof, shall be entitled to collect and receive that amount.

A certain mortgage, executed by the company, declared valid.

SECTION 3. That the mortgage, heretofore executed by the said company, dated the fourteenth day of January, Anno Domini one thousand eight hundred and sixty-one, in favor of Pearson S. Peterson and John Roache, trustees, and recorded in _____, upon all the property, real and personal, of the said company, shall be valid and binding upon the said company, to the extent, and for the uses and purposes, therein contained, mentioned and set forth ; and the lien thereof shall be held to commence, from the execution and delivery of the said mortgage.

The bonds, issued in pursuance of the terms of said mortgage, to be binding upon the company.

SECTION 4. That the bonds, issued by the said company, for a valuable consideration, under, and in pursuance of, the terms and provisions of the said mortgage, as certified to have been issued by the said Pearson S. Peterson and John Roache, trus-

tees, shall be valid, and binding, upon the said company; and the holders thereof shall be entitled to all the rights intended to be secured to them, under, and by virtue of, the said mortgage, to the extent of whatever value has been given, or paid, for the same, with interest, at the rate of six per cent., per annum, therefor; and the holders thereof shall be entitled to collect, and receive, that amount.

SECTION 5. That it shall be the duty of the president, and directors, of the said company, within twenty days after the passage of this act, to call a meeting of the stockholders of the said company, to be held at the office of the company, in the city of Philadelphia, fifteen days after the date of such notice, for the purpose of taking into consideration the adoption, or rejection, of this act of assembly; and, at such meeting, the vote shall be taken according to the number of shares held by each stockholder, respectively; and if, upon such vote being taken, it shall appear that a majority of the votes, according to the number of shares held by the persons voting, each share being entitled to one vote, shall have been cast in favor of the adoption of this act, then this act of assembly shall be, and become, an amendment to the charter of the said company, and be binding upon the said company, from and after the date of its said adoption.

SECTION 6. That as soon, thereafter, as it can conveniently be done, it shall be the duty of the president, and directors, of the said company, to cause to be presented, to the supreme court, for the Eastern district of Pennsylvania, a petition, setting forth the names of all the persons claiming to be stockholders and creditors, (whether as noteholders, bondholders, or otherwise,) of the said company, and setting forth the difficulties, and embarrassments, existing in the affairs of the said company, and praying the said court for the appointment of some suitable person, with the powers of a master, and examiner, in chancery, for the purpose of taking testimony, and deciding, and reporting, a decree, settling and adjusting the rights of all the parties, both stockholders, and creditors, interested in the said company.

SECTION 7. That it shall be the duty of the said person, so appointed by the said court, within thirty days after his said appointment, to give notice, by a public advertisement, to be published twice, in the Legal Intelligencer, and to be published, for two weeks, in two daily newspapers, in the city of Philadelphia, of his appointment; and that all persons, claiming to be stockholders, and creditors, whether noteholders, bondholders, or otherwise, are required to appear before him, at a time, and place, to be appointed by him, and present their claims, as stockholders, and creditors, of the said company; and it shall be the duty of the said person, so appointed, to examine the said claims, to take proof thereon, and to determine, and decide, upon the rights of the respective claimants who shall appear before him; and, for those purposes, to adjourn, from time to time, for such period, and so often, as may be necessary, in order to fulfil the duties of his appointment; and, after having fully heard, and determined, the questions, so submitted to him, it shall be his duty to report a decree to the said court,

Rights of the
holders thereof.

Meeting of
stockholders to
be called, to
vote upon the
adoption or re-
jection of this
act.

Mode of taking
the vote.

A petition, con-
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supreme court.

Duties and pow-
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Decree to be re-
ported.

settling, and deciding, who are the stockholders in said company, what number of shares of stock each stockholder is entitled to, who are the creditors of the said company, and whether such creditors are noteholders, bondholders, or in whatsoever other manner the said company is indebted to such creditor; that such report, or decree, shall be made, and filed in the office of the prothonotary of the said court; and, unless the same is excepted to, within ten days after it is so filed, it shall become final, and binding, upon all parties, or persons, interested in the said company, without appeal, or writ of error, and shall be conclusive evidence of the fact, and rights of persons, as therein found reported and decreed.

To be filed in office of prothonotary, and be final, unless excepted to, within ten days.

Notice to be given of the filing of the decree.

Court to decide upon the exceptions and refer back to master, with directions to make a final decree.

Effect of.

Rights of stock, bond and note holders to be determined and decreed.

The receiver to file with the master an account of balance in his hands.

Distribution among creditors.

SECTION 8. That it shall be the duty of the person, so appointed by the said court, to give notice of the filing of his said decree, for ten days before the same shall be filed, by publication, in two daily newspapers, in the said city, and by one insertion in the Legal Intelligencer, also published in said city.

SECTION 9. That it shall be the duty of the said court to examine, and decide upon, the said exceptions, if any such shall be filed, according to the rules of practice prevailing in courts of chancery, in similar cases, coming within their jurisdiction, and to refer the case back to the said master, for further proof, with proper directions to him, or to make, and enter, a final decree, in such form and manner as may be in accordance with equity, and the rights of the parties, and in pursuance of the provisions of this act of assembly; and such decree, when so made, shall be final and binding, without appeal, or writ of error, upon the said company, and upon all parties, or persons, whether stockholders or creditors, interested in said company; and shall be conclusive evidence of the fact, and the rights, and equities, of all persons interested in the said company, as therein found reported and decreed.

SECTION 10. That the said master, and the said court, shall hold, and declare, any stockholder, who has, heretofore, paid valuable consideration for his said stock, to be a stockholder of the said company; and, also, all such persons as have advanced money upon the said stock, and are holders thereof, by pledge or hypothecation, to be such holders; and shall, also, decree the amount due to them, on account of such advance loan, or hypothecation; that all noteholders, and bondholders, shall have their rights, respectively, determined, declared and decreed, according to the amounts, in money, or other valuable consideration, which they have, respectively, given, advanced or loaned, for, or on account of, such bonds, or notes, as they may hold.

SECTION 11. That it shall be the duty of Joseph J. Sharpless, the receiver of the estate, and effects, of the said company, to file, with the said master, an account, showing the balance of money in his hands, at such time as he shall be required so to do, by the said master; and it shall be the duty of the said master, to report a distribution of the said balance, after deducting all the expenses, and costs, of the proceedings taken in the said court, as herein provided, *pro rata*, among the said various creditors of the said company, according to the amounts which may be found, and decreed, to be due, to each, respectively.

SECTION 12. That the board of directors elected, heretofore, on the twenty-fourth day of March, one thousand eight hundred and sixty-two, shall take the charge, control and management, of all the books and papers of the said company; and after the decree, hereinbefore provided for, shall have been made, the said board of directors shall allow, regulate and control, the issue and transfer of stock in the said company, as so found, and decreed, in the manner provided by the charter and by-laws of said company; and do all other acts, necessary and proper, in the transaction of the business of said company.

Board of directors, heretofore elected, to take control of the business of the company.

SECTION 13. That all proceedings, in any and all suits now pending, by stockholders or creditors, whether as noteholders, bondholders, or otherwise, against said company, shall be suspended, until the said decree shall be made; and no suit shall be brought against said company, by any stockholder, or creditor, until said decree shall have been made; but, so soon as such decree shall have been made, all creditors of said company shall have the right to proceed for the collection of the amounts found to be due to them, by said decree, according to law; and the suits, now pending against said company, may, thereafter, be proceeded with, in accordance with the rules of law and equity, applicable to the courts in which such suits are pending.

Proceedings, in suits pending, to be suspended until the decree has been made, and no suits to be brought until that time.

Proceedings thereafter.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of July, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 624.

An Act

To extend and renew the charter of the Columbia Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the charter of the Columbia Bank be and the same is hereby extended and renewed for the term of ten years, from the expiration of the present charter, with all its present rights and privileges; and the president and directors shall, within six months after the passage and approval of this act, file, in the office of the secretary of the commonwealth of Pennsyl-

vanis, the within acceptance of stockholders, possessing a majority of shares issued.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of January, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 625.

Supplement

To an act, entitled "An Act to incorporate the M'Cauley Mountain Railroad Company."

Re-organisation.

Name.

Powers.

Subject to.

Authorized to construct lateral roads.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Thomas Kimber, junior, and such persons as may be associated with him, in the purchase of the M'Cauley Mountain railroad, under proceedings upon the mortgage executed by the M'Cauley Mountain Railroad Company, in favor of Charles S. Smith, trustee, their successors and assigns, be and the same are hereby created a body corporate, in deed and in law, under the name and style of the M'Cauley Mountain and Black Creek Railroad Company, with power to hold the railroad and its franchises, so purchased, under the same regulations, and restrictions, as are contained in an act incorporating the M'Cauley Railroad Company, approved the fifth day of May, Anno Domini one thousand eight hundred and fifty-four, and subject to the provisions of the third proviso of the act of the nineteenth April, one thousand eight hundred and fifty-eight, entitled "An Act to consolidate the M'Cauley Mountain Railroad Company, with the Columbia Coal and Iron Company."

SECTION 2. That the said company shall have the right to construct, and hold, subject to all the regulations, and restrictions, contained in an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, additional or lateral roads connecting said M'Cauley Mountain railroad with other railroads, or with coal, or mineral, lands: *Provided*, That no such extension, or lateral road, shall exceed eight miles in length: *Provided*, That the provisions of this act shall not take effect, until said company shall have

settled all claims, against them, for labor and materials furnished in building the railroad of said company.

Claims for labor and materials to be first settled.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

We do certify, that Senate bill, No. 279, entitled "Supplement to an act, entitled 'An Act to incorporate the M'Cauley Mountain Railroad Company,'" was presented to the governor on the seventh day of April, Anno Domini one thousand eight hundred and sixty-two, and was not returned within three days after the meeting of the present legislature; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

J. ZIEGLER,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 10, 1863.

No. 626.

An Act

To repeal certain acts incorporating railroad companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to incorporate the New Castle and Darlington Railroad Company," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby repealed and annulled.

Act incorporating the New Castle and Darlington railroad company repealed.

SECTION 2. That "An act to incorporate the Nicholson Run and Pine Swamp Railroad Company," approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three; "A supplement to the 'act incorporating the Nicholson Run and Pine Swamp Railroad Company, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three,'" approved the thirteenth day of March, Anno Domini one thousand eight hundred and fifty-six, and the several supplements thereto, be and the same are hereby

Repeal of act incorporating the Nicholson Run and Pine Swamp railroad company and the supplements thereto.

Charter of the
Pittsburg, New
Castle and
Cleveland rail-
road company
revoked.

repealed; and the charter of the Pittsburg, New Castle and
Cleveland Railroad Company, is hereby revoked and annulled.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to repeal certain acts incorporating railroad companies," was presented to the governor on the eleventh day of April, Anno Domini one thousand eight hundred and sixty-two, and was not returned within three days after the meeting of the present legislature; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

J. ZIEGLER,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *April 11, 1863.*

CERTIFICATE.

SECRETARY'S OFFICE,

HARRISBURG, July 23, 1863.

I CERTIFY, that in obedience to the directions of an act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by the original rolls on file in this office, the proof-sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the session ending the fifteenth day of April, 1863, including an APPENDIX, containing laws passed at the sessions of 1857, 1858, 1859, 1860, 1861 and 1862, upon which the tax has been paid subsequently to the publication of the Pamphlet Laws of 1862.

ELI SLIFER,

Secretary of the Commonwealth.



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